

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 4011](#)  
**TITLE:** Palm Beach County  
**SPONSOR(S):** Skidmore

**COMPANION BILL:** None  
**LINKED BILLS:** None  
**RELATED BILLS:** None

## Committee References

[Intergovernmental Affairs](#)  
16 Y, 0 N, As CS



[Industries & Professional  
Activities](#)



[State Affairs](#)

## SUMMARY

### **Effect of the Bill:**

The bill amends the special act creating the Palm Beach County Building Code Advisory Board to allow any individual who serves a county or municipality as a building official and has a Florida Building Code Administrator certification to be appointed to the board to serve in a seat designated for local government building officials.

### **Fiscal or Economic Impact:**

None

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill amends the definition of a building official in the special act creating the [Palm Beach County Building Code Advisory Board](#) to allow any individual with a [Florida Building Code Administrator certification](#) who serves the municipality or county as a building official to be appointed to a board seat designated for building officials. The bill removes the requirement that a building official be a full-time employee of the municipality or county, requiring instead that the building official serves a municipality or county in the commission district where he or she is nominated. These requirements are consistent with the building code administrators requirements outlined in [s. 468.607, F.S.](#) (Section [1](#))

The bill provides an effective date of upon becoming a law. (Section [2](#))

## RELEVANT INFORMATION

### **SUBJECT OVERVIEW:**

#### [Palm Beach County Building Code Advisory Board](#)

Palm Beach County Building Code Advisory Board (Board) advises the Palm Beach County Board of County Commissions and local governments within the county on building codes and standards with the goal of promoting

uniformity in interpretation, implementation, and enforcement of the Florida Building Code.<sup>1</sup> The Board to authorized to advise local governments on:

- Administrative and technical amendments to the Florida Building Code;
- Evaluation of new and innovative construction materials, products, systems, and methods for compliance with the Florida Building Code;
- How construction code enforcement may be improved and standardized; and
- How to prevent the reoccurrence of disputes.<sup>2</sup>

The Board is further authorized to act as the county-wide compliance review board, pursuant to s. 553.73(4)(b)7., F.S.,<sup>3</sup> and to evaluate new or existing products or systems and provide advisory reports to the county's municipalities.<sup>4</sup>

The Board has 16 members appointed by the Palm Beach County Board of County Commissioners (BOCC) for three-year terms.<sup>5</sup> The Board is composed of:

- Seven local government building officials, with one representative from each county commission district;
- Seven members appointed from nominees submitted by construction industry organizations;<sup>6</sup>
- One member who is a registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; and
- One member who is a professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society.<sup>7</sup>

### **Florida Building Code Administrator Certification**

Chapter 468, Part XII, F.S. regulates building code administrators and inspectors, including provisions related to standards for certification as a building code administrator.<sup>8</sup> The Florida Building Code Administrators and Inspectors Board, within the Department of Business and Professional Regulation (DBPR), licenses and regulates building code administrators, building code inspectors, and building code plans examiners.<sup>9</sup> All building code administrators employed by a state agency or local governmental authority are required to have a building code administrator certification.<sup>10</sup> Current law prohibits any person from engaging in the duties of a building code administrator unless they have a valid, board-issued certification.<sup>11</sup>

To obtain a building code administrator certification, eligible individuals must pass a board-approved examination. Individuals may also obtain a certification by endorsement if they have held a valid equivalent certification issued

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<sup>1</sup> Ch. 74-565, Laws of Fla, as amended by [ch. 2001-323, Laws of Fla.](#) See also Palm Beach County, [Building Code Advisory Board](#) (last visited Feb. 21, 2025).

<sup>2</sup> Ch. 74-565, Laws of Fla, as amended by [ch. 2001-323, s. 1\(7\), Laws of Fla.](#)

<sup>3</sup> Ch. 74-565, Laws of Fla, as amended by [ch. 2001-323, s. 1\(7\)\(5\), Laws of Fla.](#)

<sup>4</sup> Ch. 74-565, Laws of Fla, as amended by [ch. 2001-323, s. 1\(8\), Laws of Fla.](#)

<sup>5</sup> Ch. 74-565, Laws of Fla, as amended by [ch. 2001-323, s. 1\(6\)\(1\), Laws of Fla.](#)

<sup>6</sup> The act specifies that the Associated General Contractors, Florida East Coast Chapter; the Gold Coast Builders Association; the Associated Builders and Contractors, Florida East Coast Chapter; the Electrical Council of Florida, Palm Beach Chapter; the Palm Beach County Roofing and Sheet Metal Contractors Association; the Air Conditioning Contractors of America, Palm Beach Chapter; the Plumbing Heating Cooling Contractors Association of Florida, Palm Beach Chapter may submit nominees, but also provides that any other recognized regional industry trade associations may submit nominees.

<sup>7</sup> Ch. 74-565, s. 6(1) Laws of Fla., as amended by chs. [2001-323](#) and [2017-215, Laws of Fla.](#)

<sup>8</sup> Section [468.603\(2\), F.S.](#) defines building code administrator or building official as any employee of municipal or county governments, or any person contracted, with building construction regulation responsibilities who are charged with the responsibility for direct regulatory administration or supervision of plan review, enforcement, or inspection of building construction, erection, repair, addition, remodeling, demolition, or alteration projects that require permitting indicating compliance with building, plumbing, mechanical, electrical, gas, fire prevention, energy, accessibility, and other construction codes as required by state law or municipal or county ordinance.

<sup>9</sup> S. [468.606, F.S.](#) See also Florida Dept. of Business and Professional Regulation, [Building Code Administrators & Inspectors](#) (last visited Feb. 17, 2025).

<sup>10</sup> S. [468.607, F.S.](#)

<sup>11</sup> S. [468.609\(4\), F.S.](#)

by another state or territory of the United States for at least 10 years and have successfully passed an examination administered by the International Code Council.<sup>12</sup>

Under current law, individuals eligible to take the examination for the building code administrator certification if they are at least 18 years of age, of good moral character, and must either:

- have 10 years' combined experience as an architect, engineer, plans examiner, building code inspector, registered or certified contractor, or construction superintendent, with at least 5 years of supervisory experience in these roles; or
- demonstrate a total of 10 years of experience through a combination of postsecondary education in construction or a related field<sup>13</sup> and experience as an architect, engineer, plans examiner, building code inspector, registered or certified contractor, or construction superintendent with five years of supervisory experience in these roles and complete at least 20 hours of in-state laws, rules, and ethics relating to the professional standards of practice, duties, and responsibilities of a certified building code administrator.<sup>14</sup>

Through the examination the individual demonstrates that he or she has sufficient knowledge of state laws and building codes. The examination is intended to be substantially equivalent to examinations administered by the International Code Council.<sup>15</sup>

### Local Bill Forms

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.<sup>16</sup> A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website<sup>17</sup> at least 30 days prior to the introduction of the local bill in the House or Senate.<sup>18</sup> The bill was noticed in the [Palm Beach Post on January 10, 2025](#).

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.<sup>19</sup> Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- [Local Bill Certification Form](#)
- [Economic Impact Statement](#)

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<sup>12</sup> S. [468.613, F.S.](#) See also Florida Dept. of Business and Professional Regulation, [Building Code Administrator-Initial Certification by Examination or Endorsement](#) (last visited Feb. 17, 2025).

<sup>13</sup> No more than five years of demonstrated experience in construction or a related field may be years of applied experience.

<sup>14</sup> S. [468.609\(3\), F.S.](#)

<sup>15</sup> S. [468.609\(5\)\(a\), F.S.](#) See also International Code Council, [Who We Are](#) (last visited Feb. 17, 2025).

<sup>16</sup> [Art. III, s. 10, Fla. Const.](#)

<sup>17</sup> S. [50.0311\(2\), F.S.](#)

<sup>18</sup> S. [11.02, F.S.](#) If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.

<sup>19</sup> Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Feb. 17, 2025).

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## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Intergovernmental Affairs Subcommittee</a>	16 Y, 0 N, As CS	3/19/2025	Darden	Jones
THE CHANGES ADOPTED BY THE COMMITTEE: Corrects directory language.				
<a href="#">Industries &amp; Professional Activities Subcommittee</a>				
<a href="#">State Affairs Committee</a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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