

Senate Bill No. 52-C

An act relating to the Florida Building Code; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; requiring that the Department of Community Affairs adopt an emergency rule under certain circumstances; specifying the effective date of the residential swimming pool safety requirements of the Florida Building Code; amending s. 468.609, F.S.; extending the deadline to apply for a limited certificate as a building code administrator, plans examiner, or inspector; expanding the list of eligible persons who may apply for the certificate; providing for the application of the act; providing an effective date.

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

Section 1. Subsections (1), (5), (8), and (11) of section 553.415, Florida Statutes, are amended to read:

553.415 Factory-built school buildings.—

(1) It is the purpose of this section to provide an alternative procedure for the construction and installation of factory-built school buildings designed or intended for use as school buildings. As used in this section, the term “factory-built school building” means any building designed or intended for use as a school building, which is in whole or in part, manufactured at an offsite facility in compliance with the State Uniform Code for Public Educational Facilities and Department of Education rule, effective on January 5, 2000. After March ~~January~~ 1, 2002, the Uniform Code for Public Educational Facilities shall be incorporated into the Florida Building Code, including specific requirements for Public Educational Facilities and the Department of Education rule, effective on January 5, 2000. For the purpose of this section, factory-built school buildings include prefabricated educational facilities, factory-built educational facilities, and modular-built educational facilities, that are designed to be portable, relocatable, demountable, or reconstructible; are used primarily as classrooms or the components of an entire school; and do not fall under the provisions of ss. 320.822-320.862.

(5) The department, in accordance with the standards and procedures adopted pursuant to this section and as such standards and procedures may

thereafter be modified, shall approve or reject such plans, specifications, and methods of construction. Approval shall not be given unless such plans, specifications, and methods of construction are in compliance with the State Uniform Building Code for Public Educational Facilities and department rule. After ~~March~~ January 1, 2002, the Uniform Code for Public Educational Facilities shall be incorporated into the Florida Building Code, including specific requirements for public educational facilities and department rule.

(8) Any amendment to the State Uniform Code for Public Educational Facilities, and after ~~March~~ January 1, 2002, the Florida Building Code, shall become effective 180 days after the amendment is filed with the Secretary of State. Notwithstanding the 180-day delayed effective date, the manufacturer shall submit and obtain a revised approved plan within the 180 days. A revised plan submitted pursuant to this subsection shall be processed as a renewal or revision with appropriate fees. A plan submitted after the period of time provided shall be processed as a new application with appropriate fees.

(11) The department shall develop a unique identification label to be affixed to all newly constructed factory-built school buildings and existing factory-built school buildings which have been brought into compliance with the standards for existing "satisfactory" buildings pursuant to chapter 5 of the Uniform Code for Public Educational Facilities, and after ~~March~~ January 1, 2002, the Florida Building Code. The department may charge a fee for issuing such labels. Such labels, bearing the department's name and state seal, shall at a minimum, contain:

- (a) The name of the manufacturer.
- (b) The standard plan approval number or alteration number.
- (c) The date of manufacture or alteration.
- (d) The serial or other identification number.
- (e) The following designed-for loads: lbs. per square foot live load; lbs. per square foot floor live load; lbs. per square foot horizontal wind load; and lbs. per square foot wind uplift load.
- (f) The designed-for flood zone usage.
- (g) The designed-for wind zone usage.
- (h) The designed-for enhanced hurricane protection zone usage: yes or no.

Section 2. Notwithstanding any other provision in chapter 2001-186, Laws of Florida, the effective date of the following sections of chapter 2001-186, Laws of Florida, is changed to March 1, 2002: sections 25, 26, and 27.

Section 3. Notwithstanding any other provision in chapter 2001-186, Laws of Florida, the effective date of the following sections of chapter 2000-141, Laws of Florida, as amended by chapter 2001-186, Laws of Florida, is changed to March 1, 2002: sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17,

18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 32, 36, 39, 44, 47, 48, 49, 52, 54, 56, 58, 59, 60, 62, 70, 71, 72, 75, 79, 81, 84, 86, 87, 88, 91, 92, 93, 94, and 99.

Section 4. Notwithstanding any other provision in chapter 2001-186, Laws of Florida, the effective date of the following sections of chapter 98-287, Laws of Florida, as amended by chapter 2000-141, Laws of Florida, as amended by chapter 2001-186, Laws of Florida, is changed to March 1, 2002: sections 1, 2, 4, 5, 7, 9, 13, 14, 15, 16, 17, 18, 21, 24, 29, 31, 32, 34, 36, 38, 40, 44, 46, 47, 49, 51, and 56.

Section 5. Notwithstanding any other provision in chapter 2001-186, Laws of Florida, the effective date of section 61 of chapter 98-419, Laws of Florida, as amended by chapter 2000-141, Laws of Florida, as amended by chapter 2001-186, Laws of Florida, is changed to March 1, 2002.

Section 6. Section 135 of chapter 2000-141, Laws of Florida, as amended by section 37 of chapter 2001-186, Laws of Florida, is amended to read:

Section 135. Effective ~~March~~ January 1, 2002 subsection (2) of section 255.21, Florida Statutes, paragraphs (d) and (e) of subsection (1) of section 395.1055, Florida Statutes, and subsection (11) of section 553.79, Florida Statutes, are repealed.

Section 7. Subsection (2) of section 62 of chapter 98-287, Laws of Florida, as amended by section 107 of chapter 2000-141, Laws of Florida, as amended by section 38 of chapter 2001-186, Laws of Florida, is amended to read:

Section 62.

(2) Effective ~~March~~ January 1, 2002, all existing local technical amendments to any building code adopted by any local government, except for local ordinances setting forth administrative requirements which are not in conflict with the Florida Building Code, are repealed. Each local government may readopt such amendments pursuant to s. 553.73, Florida Statutes, provided such amendments comply with applicable provisions of the Florida Building Code.

Section 8. Section 68 of chapter 98-287, Laws of Florida, as amended by section 108 of chapter 2000-141, Laws of Florida, as amended by section 39 of chapter 2001-186, Laws of Florida, is amended to read:

Section 68. Effective ~~March~~ January 1, 2002, parts I, II, and III of chapter 553, Florida Statutes, consisting of sections 553.01, 553.02, 553.03, 553.04, 553.041, 553.05, 553.06, 553.07, 553.08, 553.10, 553.11, 553.14, 553.15, 553.16, 553.17, 553.18, 553.20, 553.21, 553.22, 553.23, 553.24, 553.25, 553.26, 553.27, and 553.28, Florida Statutes, are repealed, section 553.141, Florida Statutes, is transferred and renumbered as section 553.86, Florida Statutes.

Section 9. Subsection (1) of section 627.0629, Florida Statutes, as amended by section 99 of chapter 2000-141, Laws of Florida, as amended by section 42 of chapter 2001-186, Laws of Florida, is amended to read:

627.0629 Residential property insurance; rate filings.—

(1) A rate filing for residential property insurance must include actuarially reasonable discounts, credits, or other rate differentials, or appropriate reductions in deductibles, for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The fixtures or construction techniques shall include, but not be limited to, fixtures or construction techniques which enhance roof strength, roof covering performance, roof-to-wall strength, wall-to-floor-to-foundation strength, opening protection, and window, door, and skylight strength. Credits, discounts, or other rate differentials for fixtures and construction techniques which meet the minimum requirements of the Florida Building Code must be included in the rate filing. All insurance companies must make a rate filing which includes the credits, discounts, or other rate differentials by February 28, 2003 ~~December 31, 2002~~.

Section 10. Rule 9B-3.047, Florida Administrative Code, as it existed before November 28, 2000, is adopted and will remain in force until the effective date of the Florida Building Code as established in this act.

Section 11. Notwithstanding the effective date of section 25 of chapter 2001-186, Laws of Florida, any building permit for which an application is submitted before the effective date of the Florida Building Code is governed by the state minimum building code in effect in the permitting jurisdiction on the date of the application for the permitted work for the life of the permit and any extension of time granted thereto.

Section 12. Local jurisdictions bisected or otherwise divided by a line separating wind speed zones, as determined by the American Society of Civil Engineers, Standard 7, 1998 edition as implemented by the International Building Code, 2000 edition, and as modified by the Florida Building Commission in the Florida Building Code that becomes effective pursuant to this act, must by January 1, 2002, enact an ordinance specifying the exact location of wind speed lines, using recognized physical landmarks such as major roads, canals, rivers, and lake shores, wherever possible. For each jurisdiction that has not adopted the required ordinance by January 1, 2002, the Department of Community Affairs shall adopt, by emergency rule under section 120.54(4), Florida Statutes, a map delineating the wind speed lines of the jurisdiction according to the parameters of this section. This map shall govern the location of wind speed lines under the Florida Building Code until 60 days after the effective date of the jurisdiction's ordinance.

Section 13. The Florida Building Commission is authorized to provide for uniform implementation of sections 515.25, 515.27, and 515.29, Florida Statutes, by including standards and criteria in the Florida Building Code for residential swimming pool barriers, pool covers, latching devices, door and window exit alarms, and other equipment required in those sections which are consistent with the intent of section 515.23, Florida Statutes. Notwithstanding section 10, the residential swimming pool safety requirements of the Florida Building Code, section 424.2, relating to private swimming pools, of Rule 9B-3.047, Florida Administrative Code, as adopted November 28, 2000, shall take effect January 1, 2002.

Section 14. Paragraph (e) of subsection (6) of section 468.609, Florida Statutes, is amended to read:

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

(6)

(e) By March 1, 2003, or one year after the Florida Building Code is implemented, whichever is later January 1, 2001, individuals who were employed by an educational board, the Department of Education, or the State University System as building code administrators, plans examiners, or inspectors, ~~who do not wish to apply are not eligible~~ for a standard certificate but who wish to continue in such employment, shall submit to the board the appropriate application and certification fees and shall receive a limited certificate qualifying such individuals to engage in building code administration, plans examination, or inspection in the class, at the performance level, and within the governmental jurisdiction in which such person is employed.

Section 15. After January 1, 2002, design professionals who have been preparing construction documents in anticipation of the current Florida Law stipulating the implementation date of January 1, 2002, for the Florida Building Code, may at their option, have their projects governed by the Florida Building Code that would have been in effect in the permitting jurisdiction, after January 1, 2002.

Section 16. This act shall take effect upon becoming a law.

Approved by the Governor December 17, 2001.

Filed in Office Secretary of State December 17, 2001.