

Summary of Florida Building Commission 2000 Legislation
Final Bill - House Bill 219

Issue	Commission	Senate	House	Final
Windborne Debris	ASCE 120+ w/disclosure	South of 28th parallel - ASCE 120+; Northeast 5 miles; northeast 3 miles to Taylor Co., then 1 mile west to Alabama line; no disclosure	ASCE 120+ w/disclosure; preserves building for internal pressures; limits Exposure Category C to within 1500 feet of the CCCL	ASCE 120+ w/disclosure EXCEPT only 1 mile from Franklin Co. to Alabama line; preserves building to internal pressures (p. 210, line 22); limits Exposure Category C to within 1500 feet of CCCL (page 114, line 23)
Product Approval	Set July, 2000 to adopt system	Allow counties to require additional testing outside of statewide system; revises intent language	Eliminates commission rulemaking authority; requires commission to submit proposal to legislature prior to 2001 Legislative session; revises intent language	Eliminates commission rulemaking authority; requires commission to submit proposal to legislature prior to 2001 Legislative session (p. 181, line 7) revises intent language (p. 117, line 21)
*Effective Date of the Florida Building Code and major sections	January 1, 2001	January 1, 2001	July 1, 2001	July 1, 2001 (Throughout the bill)
Local Technical Amendments	All local technical amendments subject to review on three-year cycle	Counties over a million in population not subject to local technical amendment review; all counties may adopt more stringent windborne debris protection w/out review by commission.	All local technical amendments subject to review on a three-year cycle	All local technical amendments subject to review on a three-year cycle (p.133, line 13)
Local Administrative Amendments	Clarify that local administrative amendments are not subject to three-year review and rescission; exempt existing local administrative amendments from repeal	Clarifies that local administrative amendments are not subject to three-year review and rescission; exempts existing local administrative amendments from repeal	Clarifies that local administrative amendments are not subject to three-year review and rescission; exempts existing local administrative amendments from repeal upon adoption of FBC.	Clarifies that local administrative amendments are not subject to three-year review and rescission (p.132, line 31); exempts existing local administrative amendments from repeal upon adoption of FBC (p.208,

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	upon adoption of FBC.	upon adoption of FBC.		line 27).
State Agency Regulations	Seek authority to include ALFs, Adult day care facilities, control of radiation hazards and mobile home installation standards	Grants authority to include ALFs, Adult day care facilities and control of radiation hazards	Grants authority to include ALFs, Adult day care facilities and control of radiation hazards	Grants authority to include ALFs, Adult day care facilities and control of radiation hazards (p. 132, line 7)
Special Inspector of Threshold Buildings	Transfer certification responsibility to the professional licensing boards; require that they set minimum qualifications for inspector's authorized representative; suggested specific qualifications.	Transfers certification responsibility to the Board of Professional Engineers and the Board of Architects and Landscape Architects; requires that the boards set minimum qualifications for the inspector's qualified representative.	Transfers certification responsibility to the Board of Professional Engineers and the Board of Architects and Landscape Architects; requires that the boards set minimum qualifications for the inspector's qualified representative.	Transfers certification responsibility to the Board of Professional Engineers and the Board of Architects and Landscape Architects; requires that the boards set minimum qualifications for the inspector's qualified representative (p.72, line 12).
Waivers and Variances	Seek an exemption from the chapter 120, F.S., requirement that the Florida Building Commission grant waivers and variances from the FBC; authorize locals to use alternative methods of compliance.	Grants an exemption from the chapter 120, F.S., requirement that the Florida Building Commission grant waivers and variances from the FBC; authorizes locals to use alternative methods of compliance.	Grants an exemption from the chapter 120, F.S., requirement that the Florida Building Commission grant waivers and variances from the FBC; authorizes locals to use alternative methods of compliance.	Grants an exemption from the chapter 120, F.S., requirement that the Florida Building Commission grant waivers and variances from the FBC; authorizes locals to use alternative methods of compliance (p. 17, line 1).
Declaratory Statements	Clarify that declaratory statements cannot be used to circumvent appeals from local interpretations or the product approval process; authorize commission to amend code yearly to incorporate declaratory statements.	Clarifies that declaratory statements cannot be used to circumvent appeals from local interpretations or the product approval process; authorizes commission to amend code yearly to incorporate declaratory statements.	Clarifies that declaratory statements cannot be used to circumvent appeals from local interpretations or the product approval process; authorizes commission to amend code yearly to incorporate declaratory statements.	Clarifies that declaratory statements cannot be used to circumvent appeals from local interpretations or the product approval process (p.150, line 51); authorizes commission to amend code yearly to incorporate declaratory statements (p.137, line 24).

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Other issues (not directly addressed by the Commission prior to session)

Creates a new program for certification of factory-built school buildings. Plans review to be conducted by the Department of Community Affairs (DCA) or a delegated public or private entity; inspections to be made by the school district or community college district for which the structure is built; DCA to affix labels; DCA to adopt emergency rules within 90 days of the effective date (p. 102, line 7).

Exemptions from the code - the legislature granted the authority to the commission to create exceptions to the categories of exemptions from the code for temporary buildings or sheds used for construction purposes and mobile homes used for temporary offices. However, the Department of Agriculture and Consumer Services is granted exclusive authority to adopt exceptions to the “non-residential farm buildings on farms” exemption (p. 139, line 1).

Section 109, beginning on page 209, directs the commission to change the draft code to include certain very specific requirements within the code; requires that future modifications to the base codes comply with specified criteria, including a fiscal impact statement; that all amendments to the Florida Building Code be in legislative strike-through, underline format; and requires the commission to re-review and adopt by a three-fourths majority vote certain modifications made to the base code prior to February 15, 2001, only if they comply with a new set of specific criteria, including a fiscal impact statement. This provision of the bill (p. 209, line 25) requires that all proponents of modifications previously adopted by the commission resubmit those proposed modifications with new justification requirements, if they are identified by an interested party during the public hearing process.

Requires the DCA to undertake a demonstration project to determine the cost differential between constructing homes to the existing minimum codes and the Florida Building Code. The DCA will report its findings to the commission, for consideration of changes to the code; to the Legislature; and to the Department of Insurance (p. 213, line 23).