

**TAC CODE AMENDMENT REVIEW PROCESS
AUGUST 2010 RULE DEVELOPMENT WORKSHOP—2010 CODE
UPDATE PROCESS**

(Adopted Unanimously June 8, 2010)

AMENDMENT REVIEW AND CONSIDERATION PROCESS

- Facilitator (or TAC chair if there is not a facilitator present) will serve as moderator and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise.
- Chair/Facilitator may limit comments to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak. *(This provision should only need to be used if there are a large number of speakers relative to the total number of amendments and total time for review allocated for the specific TAC.)*
- Do not read lengthy prepared statements; Summarize and submit complete text of comment for the record.
- Offer new points and/or state agreement with previous speakers; Please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all view points to ensure all perspectives are considered, and not repeats of the same views.

- Facilitator (or TAC chair) will introduce each amendment.
- Proponents of proposed amendment will speak first.
- Opponents of proposed amendment will follow proponents.
- Proponents/opponents will be allowed one (1) brief counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.

- ***Withdrawal of Proposal:*** A code amendment proposal may be withdrawn by the proponent at any time prior to the TAC consideration of that proposal.

- Standing motion to approve will be in effect.
- TAC will vote in favor of the Standing Motion to Approve (found on page 3) prior to considering proposed amendments.
- Findings Considered: rationale, Florida specific need, does not diminish requirements related to wind resistance or prevention of water intrusion, and fiscal impact data reviewed.
- Clarifying questions by TAC members only.
- Staff, proponent, or specified commenter will respond to TAC Member's questions.
- Once a motion (second to the standing motion) is on the floor, discussion is limited to TAC members except as allowed by the Chair/Facilitator.

- ☛ TAC members should avoid spending time revising a code amendment proposal, and instead TAC members should focus on providing a proponent with constructive comments for possible revision of their amendment during the 2nd 45 - day review/comment period. This approach will ensure that consideration of amendments are completed within the time frame allocated for the meeting.
- ☛ Any TAC revisions (amendments) to proposed amendments: require additional public comment, and TAC analysis of findings, rationale, and fiscal impact.
- ☛ *Amendments:* Amendments to proposals may be suggested by any person participating in the rule development workshop. The person proposing the amendment is deemed to be the proponent of the amendment. All amendments must be written, unless determined by the Chair to be either editorial or minor in nature. The amendment proponent shall provide 20 copies to staff for distribution to the TAC.
- ☛ A proposed amendment shall not be considered by the TAC if it:
 - Is not legible;
 - Changes the scope of the original proposal; or,
 - Is not readily understood so that a proper assessment of its impact on the original proposal of the Code can be determined.
- ☛ TAC members should provide specific and clear reason(s) for not supporting/approving a Code amendment proposal. It is the responsibility of the moderator to make sure that staff has ample time to record such reasoning and the vote count.
- ☛ The standing motion to approve will be in effect, a second is required in order to vote for the amendment—Only motions to approve may be considered.
- ☛ Motions to deny are not allowed by Commission Rules.
- ☛ All amendments must be voted on individually.
- ☛ Motions require a 75% favorable vote for approval; those with less than a 75% favorable recommendation, are recommended for denial.

STANDING MOTION TO APPROVE AMENDMENTS TO THE FLORIDA BUILDING CODE

TAC chair will read the following motion, ask for a motion and second to approve, and the TAC will then vote in favor.

Move to recommend approval of the proposed amendments by the Technical Advisory Committee (TAC) based on the following findings:

- A. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and,
- B. The amendment does not degrade the effectiveness of the Code and either strengthens or improves the Code or provides for innovation or new technology by allowing equivalent or better products, methods, or systems of construction; and,
- C. The Amendment does not discriminate against products, methods, or systems of construction of demonstrated capabilities; and,
- D. The Amendment has the following fiscal impact:
 - 1. The fiscal impact of enforcement imposed upon local government is as indicated by the amendment proponent.
 - 2. The fiscal impact of compliance imposed upon property and building owners is as indicated by the amendment proponent.
 - 3. The fiscal impact of compliance imposed upon industry is as indicated by the amendment proponent.
 - 4. The fiscal impact of compliance to small business is as indicated by TAC review (no impact or impact as identified by the proponent).
- E. The proponent has provided an analysis of the amendment's fiscal impact.
- F. The Amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- G. The Amendment addresses a Florida-specific need.
- H. The Amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

TAC AMENDMENTS

TAC amendments to proposed amendments: require additional public comment, and TAC analysis of findings, rationale, and fiscal impact.