



314100

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/3/2008	.	
	.	
	.	

1 The Committee on Environmental Preservation and Conservation  
 2 (Dockery) recommended the following **amendment**:

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

5 Delete everything after the enacting clause  
 6 and insert:

7 Section 1. Subsection (2) of section 163.04, Florida  
 8 Statutes, is amended to read:

9 163.04 Energy devices based on renewable resources.--

10 (2) A deed restriction, covenant, declaration, or similar  
 11 binding agreement may not ~~No deed restrictions, covenants, or~~  
 12 ~~similar binding agreements running with the land shall prohibit~~  
 13 or have the effect of prohibiting solar collectors, clotheslines,  
 14 or other energy devices based on renewable resources from being  
 15 installed on buildings erected on the lots or parcels covered by  
 16 the deed restriction, covenant, declaration, or binding agreement  
 17 ~~restrictions, covenants, or binding agreements~~. A property owner



314100

18 | may not be denied permission to install solar collectors or other  
19 | energy devices ~~based on renewable resources~~ by any entity granted  
20 | the power or right in any deed restriction, covenant,  
21 | declaration, or similar binding agreement to approve, forbid,  
22 | control, or direct alteration of property with respect to  
23 | residential dwellings and within the boundaries of a condominium  
24 | unit not exceeding three stories in height. ~~For purposes of this~~  
25 | ~~subsection~~, Such entity may determine the specific location where  
26 | solar collectors may be installed on the roof within an  
27 | orientation to the south or within 45° east or west of due south  
28 | if provided that such determination does not impair the effective  
29 | operation of the solar collectors.

30 |       Section 2. Paragraphs (a), (b), (d), (f), and (j) of  
31 | subsection (6) of section 163.3177, Florida Statutes, are  
32 | amended, and paragraph (l) is added to that subsection, to read:

33 |       163.3177 Required and optional elements of comprehensive  
34 | plan; studies and surveys.--

35 |       (6) In addition to the requirements of subsections (1)-(5)  
36 | and (12), the comprehensive plan shall include the following  
37 | elements:

38 |       (a) A future land use plan element designating proposed  
39 | future general distribution, location, and extent of the uses of  
40 | land for residential uses, commercial uses, industry,  
41 | agriculture, recreation, conservation, education, public  
42 | buildings and grounds, other public facilities, and other  
43 | categories of the public and private uses of land. Counties are  
44 | encouraged to designate rural land stewardship areas, pursuant to  
45 | the provisions of paragraph (11)(d), as overlays on the future  
46 | land use map. Each future land use category must be defined in  
47 | terms of uses included, and must include standards to be followed



314100

48 | in the control and distribution of population densities and  
49 | building and structure intensities. The proposed distribution,  
50 | location, and extent of the various categories of land use shall  
51 | be shown on a land use map or map series which shall be  
52 | supplemented by goals, policies, and measurable objectives. The  
53 | future land use plan shall be based upon surveys, studies, and  
54 | data regarding the area, including the amount of land required to  
55 | accommodate anticipated growth; the projected population of the  
56 | area; the character of undeveloped land; the availability of  
57 | water supplies, public facilities, and services; the need for  
58 | redevelopment, including the renewal of blighted areas and the  
59 | elimination of nonconforming uses which are inconsistent with the  
60 | character of the community; the compatibility of uses on lands  
61 | adjacent to or closely proximate to military installations; the  
62 | discouragement of urban sprawl; energy-efficient land use  
63 | patterns accounting for existing and future electric power  
64 | generation and transmission systems; greenhouse gas reduction  
65 | strategies; and, in rural communities, the need for job creation,  
66 | capital investment, and economic development that will strengthen  
67 | and diversify the community's economy. The future land use plan  
68 | may designate areas for future planned development use involving  
69 | combinations of types of uses for which special regulations may  
70 | be necessary to ensure development in accord with the principles  
71 | and standards of the comprehensive plan and this act. The future  
72 | land use plan element shall include criteria to be used to  
73 | achieve the compatibility of adjacent or closely proximate lands  
74 | with military installations. In addition, for rural communities,  
75 | the amount of land designated for future planned industrial use  
76 | shall be based upon surveys and studies that reflect the need for  
77 | job creation, capital investment, and the necessity to strengthen



314100

78 | and diversify the local economies, and shall not be limited  
79 | solely by the projected population of the rural community. The  
80 | future land use plan of a county may also designate areas for  
81 | possible future municipal incorporation. The land use maps or map  
82 | series shall generally identify and depict historic district  
83 | boundaries and shall designate historically significant  
84 | properties meriting protection. For coastal counties, the future  
85 | land use element must include, without limitation, regulatory  
86 | incentives and criteria that encourage the preservation of  
87 | recreational and commercial working waterfronts as defined in s.  
88 | 342.07. The future land use element must clearly identify the  
89 | land use categories in which public schools are an allowable use.  
90 | When delineating the land use categories in which public schools  
91 | are an allowable use, a local government shall include in the  
92 | categories sufficient land proximate to residential development  
93 | to meet the projected needs for schools in coordination with  
94 | public school boards and may establish differing criteria for  
95 | schools of different type or size. Each local government shall  
96 | include lands contiguous to existing school sites, to the maximum  
97 | extent possible, within the land use categories in which public  
98 | schools are an allowable use. The failure by a local government  
99 | to comply with these school siting requirements will result in  
100 | the prohibition of the local government's ability to amend the  
101 | local comprehensive plan, except for plan amendments described in  
102 | s. 163.3187(1)(b), until the school siting requirements are met.  
103 | Amendments proposed by a local government for purposes of  
104 | identifying the land use categories in which public schools are  
105 | an allowable use are exempt from the limitation on the frequency  
106 | of plan amendments contained in s. 163.3187. The future land use  
107 | element shall include criteria that encourage the location of



314100

108 schools proximate to urban residential areas to the extent  
109 possible and shall require that the local government seek to  
110 collocate public facilities, such as parks, libraries, and  
111 community centers, with schools to the extent possible and to  
112 encourage the use of elementary schools as focal points for  
113 neighborhoods. For schools serving predominantly rural counties,  
114 defined as a county with a population of 100,000 or fewer, an  
115 agricultural land use category shall be eligible for the location  
116 of public school facilities if the local comprehensive plan  
117 contains school siting criteria and the location is consistent  
118 with such criteria. Local governments required to update or amend  
119 their comprehensive plan to include criteria and address  
120 compatibility of adjacent or closely proximate lands with  
121 existing military installations in their future land use plan  
122 element shall transmit the update or amendment to the department  
123 by June 30, 2006.

124 (b) A traffic circulation element consisting of the types,  
125 locations, and extent of existing and proposed major  
126 thoroughfares and transportation routes, including bicycle and  
127 pedestrian ways. Transportation corridors, as defined in s.  
128 334.03, may be designated in the traffic circulation element  
129 pursuant to s. 337.273. If the transportation corridors are  
130 designated, the local government may adopt a transportation  
131 corridor management ordinance. The traffic circulation element  
132 shall incorporate transportation strategies to address reduction  
133 in greenhouse gas emissions from the transportation sector.

134 (d) A conservation element for the conservation, use, and  
135 protection of natural resources in the area, including air,  
136 water, water recharge areas, wetlands, waterwells, estuarine  
137 marshes, soils, beaches, shores, flood plains, rivers, bays,



314100

138 lakes, harbors, forests, fisheries and wildlife, marine habitat,  
139 minerals, and other natural and environmental resources,  
140 including factors that affect energy conservation. Local  
141 governments shall assess their current, as well as projected,  
142 water needs and sources for at least a 10-year period,  
143 considering the appropriate regional water supply plan approved  
144 pursuant to s. 373.0361, or, in the absence of an approved  
145 regional water supply plan, the district water management plan  
146 approved pursuant to s. 373.036(2). This information shall be  
147 submitted to the appropriate agencies. The land use map or map  
148 series contained in the future land use element shall generally  
149 identify and depict the following:

- 150 1. Existing and planned waterwells and cones of influence  
151 where applicable.
- 152 2. Beaches and shores, including estuarine systems.
- 153 3. Rivers, bays, lakes, flood plains, and harbors.
- 154 4. Wetlands.
- 155 5. Minerals and soils.
- 156 6. Energy conservation.

157  
158 The land uses identified on such maps shall be consistent with  
159 applicable state law and rules.

160 (f)1. A housing element consisting of standards, plans, and  
161 principles to be followed in:

- 162 a. The provision of housing for all current and anticipated  
163 future residents of the jurisdiction.
- 164 b. The elimination of substandard dwelling conditions.
- 165 c. The structural and aesthetic improvement of existing  
166 housing.



314100

167           d. The provision of adequate sites for future housing,  
168 including affordable workforce housing as defined in s.  
169 380.0651(3)(j), housing for low-income, very low-income, and  
170 moderate-income families, mobile homes, and group home facilities  
171 and foster care facilities, with supporting infrastructure and  
172 public facilities.

173           e. Provision for relocation housing and identification of  
174 historically significant and other housing for purposes of  
175 conservation, rehabilitation, or replacement.

176           f. The formulation of housing implementation programs.

177           g. The creation or preservation of affordable housing to  
178 minimize the need for additional local services and avoid the  
179 concentration of affordable housing units only in specific areas  
180 of the jurisdiction.

181           h. Energy efficiency in the design and construction of new  
182 housing. ~~By July 1, 2008, each county in which the gap between~~  
183 ~~the buying power of a family of four and the median county home~~  
184 ~~sale price exceeds \$170,000, as determined by the Florida Housing~~  
185 ~~Finance Corporation, and which is not designated as an area of~~  
186 ~~critical state concern shall adopt a plan for ensuring affordable~~  
187 ~~workforce housing. At a minimum, the plan shall identify adequate~~  
188 ~~sites for such housing. For purposes of this sub-subparagraph,~~  
189 ~~the term "workforce housing" means housing that is affordable to~~  
190 ~~natural persons or families whose total household income does not~~  
191 ~~exceed 140 percent of the area median income, adjusted for~~  
192 ~~household size.~~

193           i. Use of renewable energy resources. ~~Failure by a local~~  
194 ~~government to comply with the requirement in sub-subparagraph h.~~  
195 ~~will result in the local government being ineligible to receive~~



314100

196 ~~any state housing assistance grants until the requirement of sub-~~  
197 ~~subparagraph h. is met.~~

198  
199 ~~The goals, objectives, and policies of the housing element must~~  
200 ~~be based on the data and analysis prepared on housing needs,~~  
201 ~~including the affordable housing needs assessment. State and~~  
202 ~~federal housing plans prepared on behalf of the local government~~  
203 ~~must be consistent with the goals, objectives, and policies of~~  
204 ~~the housing element. Local governments are encouraged to utilize~~  
205 ~~job training, job creation, and economic solutions to address a~~  
206 ~~portion of their affordable housing concerns.~~

207 j. By July 1, 2008, each county in which the gap between  
208 the buying power of a family of four and the median county home  
209 sale price exceeds \$170,000, as determined by the Florida Housing  
210 Finance Corporation, and which is not designated as an area of  
211 critical state concern shall adopt a plan for ensuring affordable  
212 workforce housing. At a minimum, the plan shall identify adequate  
213 sites for such housing. For purposes of this sub-subparagraph,  
214 the term "workforce housing" means housing that is affordable to  
215 natural persons or families whose total household income does not  
216 exceed 140 percent of the area median income, adjusted for  
217 household size.

218 k. Failure by a local government to comply with the  
219 requirement in sub-subparagraph j. will result in the local  
220 government being ineligible to receive any state housing  
221 assistance grants until the requirement of sub-subparagraph j. is  
222 met.

223  
224 The goals, objectives, and policies of the housing element must  
225 be based on the data and analysis prepared on housing needs,





314100

226 including the affordable housing needs assessment. State and  
227 federal housing plans prepared on behalf of the local government  
228 must be consistent with the goals, objectives, and policies of  
229 the housing element. Local governments are encouraged to use job  
230 training, job creation, and economic solutions to address a  
231 portion of their affordable housing concerns.

232       2. To assist local governments in housing data collection  
233 and analysis and assure uniform and consistent information  
234 regarding the state's housing needs, the state land planning  
235 agency shall conduct an affordable housing needs assessment for  
236 all local jurisdictions on a schedule that coordinates the  
237 implementation of the needs assessment with the evaluation and  
238 appraisal reports required by s. 163.3191. Each local government  
239 shall utilize the data and analysis from the needs assessment as  
240 one basis for the housing element of its local comprehensive  
241 plan. The agency shall allow a local government the option to  
242 perform its own needs assessment, if it uses the methodology  
243 established by the agency by rule.

244       (j) For each unit of local government within an urbanized  
245 area designated for purposes of s. 339.175, a transportation  
246 element, which shall be prepared and adopted in lieu of the  
247 requirements of paragraph (b) and paragraphs (7) (a), (b), (c),  
248 and (d) and which shall address the following issues:

249       1. Traffic circulation, including major thoroughfares and  
250 other routes, including bicycle and pedestrian ways.

251       2. All alternative modes of travel, such as public  
252 transportation, pedestrian, and bicycle travel.

253       3. Parking facilities.

254       4. Aviation, rail, seaport facilities, access to those  
255 facilities, and intermodal terminals.



314100

256           5. The availability of facilities and services to serve  
257 existing land uses and the compatibility between future land use  
258 and transportation elements.

259           6. The capability to evacuate the coastal population prior  
260 to an impending natural disaster.

261           7. Airports, projected airport and aviation development,  
262 and land use compatibility around airports.

263           8. An identification of land use densities, building  
264 intensities, and transportation management programs to promote  
265 public transportation systems in designated public transportation  
266 corridors so as to encourage population densities sufficient to  
267 support such systems.

268           9. May include transportation corridors, as defined in s.  
269 334.03, intended for future transportation facilities designated  
270 pursuant to s. 337.273. If transportation corridors are  
271 designated, the local government may adopt a transportation  
272 corridor management ordinance.

273           10. The incorporation of transportation strategies to  
274 address reduction in greenhouse gas emissions from the  
275 transportation sector.

276           Section 3. Paragraph (e) of subsection (3) of section  
277 489.105, Florida Statutes, is amended to read:

278           489.105 Definitions.--As used in this part:

279           (3) "Contractor" means the person who is qualified for, and  
280 shall only be responsible for, the project contracted for and  
281 means, except as exempted in this part, the person who, for  
282 compensation, undertakes to, submits a bid to, or does himself or  
283 herself or by others construct, repair, alter, remodel, add to,  
284 demolish, subtract from, or improve any building or structure,  
285 including related improvements to real estate, for others or for



314100

286 resale to others; and whose job scope is substantially similar to  
287 the job scope described in one of the subsequent paragraphs of  
288 this subsection. For the purposes of regulation under this part,  
289 "demolish" applies only to demolition of steel tanks over 50 feet  
290 in height; towers over 50 feet in height; other structures over  
291 50 feet in height, other than buildings or residences over three  
292 stories tall; and buildings or residences over three stories  
293 tall. Contractors are subdivided into two divisions, Division I,  
294 consisting of those contractors defined in paragraphs (a)-(c),  
295 and Division II, consisting of those contractors defined in  
296 paragraphs (d)-(q):

297 (e) "Roofing contractor" means a contractor whose services  
298 are unlimited in the roofing trade and who has the experience,  
299 knowledge, and skill to install, maintain, repair, alter, extend,  
300 or design, when not prohibited by law, and use materials and  
301 items used in the installation, maintenance, extension, and  
302 alteration of all kinds of roofing, waterproofing, and coating,  
303 except when coating is not represented to protect, repair,  
304 waterproof, stop leaks, or extend the life of the roof. The scope  
305 of work of a roofing contractor also includes required roof-deck  
306 attachments and any repair or replacement of wood roof sheathing  
307 or fascia as needed during roof repair or replacement.

308 Section 4. Subsection (13) of section 553.36, Florida  
309 Statutes, is amended to read:

310 553.36 Definitions.--The definitions contained in this  
311 section govern the construction of this part unless the context  
312 otherwise requires.

313 (13) "Manufactured building" means a modular or factory-  
314 built building that is a closed structure, building assembly, or  
315 system of subassemblies, which may include structural,



314100

316 electrical, plumbing, heating, ventilating, or other service  
317 systems manufactured in manufacturing facilities for installation  
318 or erection as a finished building or as part of a finished  
319 building, which shall include, but not be limited to,  
320 residential, commercial, institutional, storage, and industrial  
321 structures. The term includes buildings not intended for human  
322 habitation such as lawn storage buildings and storage sheds  
323 manufactured and assembled offsite by a manufacturer certified in  
324 conformance with this part. This part does not apply to mobile  
325 homes.

326 Section 5. Section 553.37, Florida Statutes, is amended to  
327 read:

328 553.37 Rules; inspections; and insignia.--

329 (1) The Florida Building Commission shall adopt within the  
330 Florida Building Code requirements for construction or  
331 modification of manufactured buildings and building modules, to  
332 address:

333 (a) Submittal to and approval by the department of  
334 manufacturers' drawings and specifications, including any  
335 amendments.

336 (b) Submittal to and approval by the department of  
337 manufacturers' internal quality control procedures and manuals,  
338 including any amendments.

339 (c) Minimum inspection criteria. ~~Procedures and~~  
340 ~~qualifications for approval of third-party plan review and~~  
341 ~~inspection entities and of those who perform inspections and plan~~  
342 ~~reviews.~~

343 (2) The department shall adopt rules to address:



314100

344        (a) Procedures and qualifications for approval of third-  
345 party plan review and inspection agencies and of those who  
346 perform inspections and plan reviews.

347        (b) ~~(d)~~ Investigation of consumer complaints of  
348 noncompliance of manufactured buildings with the Florida Building  
349 Code and the Florida Fire Prevention Code.

350        (c) ~~(e)~~ Issuance, cancellation, and revocation of any  
351 insignia issued by the department and procedures for auditing and  
352 accounting for disposition of them.

353        (d) ~~(f)~~ Monitoring the manufacturers', inspection agencies'  
354 entities', and plan review agencies' entities' compliance with  
355 this part and the Florida Building Code. Monitoring may include,  
356 but is not limited to, performing audits of plans, inspections of  
357 manufacturing facilities and observation of the manufacturing and  
358 inspection process, and onsite inspections of buildings.

359        (e) ~~(g)~~ The performance by the department of any other  
360 functions required by this part.

361        (3) ~~(2)~~ After the effective date of the Florida Building  
362 Code, no manufactured building, except as provided in subsection  
363 (12) ~~(11)~~, may be installed in this state unless it is approved  
364 and bears the insignia of approval of the department and a  
365 manufacturer's data plate. Approvals issued by the department  
366 under the provisions of the prior part shall be deemed to comply  
367 with the requirements of this part.

368        (4) ~~(3)~~ All manufactured buildings issued and bearing  
369 insignia of approval pursuant to subsection (2) shall be deemed  
370 to comply with the Florida Building Code and are exempt from  
371 local amendments enacted by any local government.

372        (5) ~~(4)~~ No manufactured building bearing department insignia  
373 of approval pursuant to subsection (2) shall be in any way



314100

374 modified prior to installation, except in conformance with the  
375 Florida Building Code.

376 ~~(6)(5)~~ Manufactured buildings which have been issued and  
377 bear the insignia of approval pursuant to this part upon  
378 manufacture or first sale shall not require an additional  
379 approval or insignia by a local government in which they are  
380 subsequently sold or installed. Buildings or structures that meet  
381 the definition of "open construction" are subject to permitting  
382 by the local jurisdiction and are not required to bear insignia.

383 ~~(7)(6)~~ If the department ~~Florida Building Commission~~  
384 determines that the standards for construction and inspection of  
385 manufactured buildings prescribed by statute or rule of another  
386 state are at least equal to the Florida Building Code and that  
387 such standards are actually enforced by such other state, it may  
388 provide by rule that the manufactured building which has been  
389 inspected and approved by such other state shall be deemed to  
390 have been approved by the department and shall authorize the  
391 affixing of the appropriate insignia of approval.

392 ~~(8)(7)~~ The department ~~Florida Building Commission~~, by rule,  
393 shall establish a schedule of fees to pay the cost of ~~incurred by~~  
394 ~~the department for the work related to~~ administration and  
395 enforcement of this part.

396 ~~(9)(8)~~ The department may delegate its enforcement  
397 authority to a state department having building construction  
398 responsibilities or a local government. The department may  
399 delegate its plan review and inspection authority to one or more  
400 of the following in any combination:

401 (a) A state department having building construction  
402 responsibilities;IT

403 (b) A local government;IT



314100

- 404        (c) An approved inspection agency;~~;~~
- 405        (d) An approved plan review agency;~~;~~ or
- 406        (e) An agency of another state.

407        ~~(9) If the commission delegates its inspection authority to~~  
408 ~~third-party approved inspection agencies, manufacturers must have~~  
409 ~~one, and only one, inspection agency responsible for inspection~~  
410 ~~of a manufactured building, module, or component at all times.~~

411        (10) The department shall develop an insignia to be affixed  
412 to all newly constructed buildings by the manufacturer or the  
413 inspection agency prior to the building leaving the plant. The  
414 department may charge a fee for issuing such insignias. Such  
415 insignias shall bear the department's name, the state seal, an  
416 identification number unique to that insignia, and such other  
417 information as the department may require by rule. If the  
418 ~~commission delegates its inspection authority to third-party~~  
419 ~~approved plan review agencies, manufacturers must have one, and~~  
420 ~~only one, plan review agency responsible for review of plans of a~~  
421 ~~manufactured building, module, or component at all times.~~

422        (11) The department shall by rule develop minimum criteria  
423 for manufacturer's data that must be affixed to all newly  
424 constructed buildings by the manufacturer prior to the building  
425 leaving the plant. Custom or one-of-a-kind prototype manufactured  
426 ~~buildings shall not be required to have state approval but must~~  
427 ~~comply with all local requirements of the governmental agency~~  
428 ~~having jurisdiction at the installation site.~~

429        Section 6. Subsections (1) and (3) of section 553.381,  
430 Florida Statutes, are amended to read:

431        553.381 Manufacturer certification.--

432        (1) Before manufacturing buildings to be located within  
433 this state or selling manufactured buildings within this state,



314100

434 | whichever occurs later, a manufacturer must be certified by the  
435 | department. The department shall certify a manufacturer upon  
436 | receipt from the manufacturer and approval and verification by  
437 | the department of the following:

438 |       (a) The manufacturer's internal quality control procedures  
439 | and manuals, including any amendments;

440 |       (b) Evidence that the manufacturer has product liability  
441 | insurance for the safety and welfare of the public in amounts  
442 | determined by rule of the department ~~commission~~; and

443 |       (c) The fee established by the department ~~commission~~ under  
444 | s. 553.37(8) ~~s. 553.37(7)~~.

445 |       (3) Certification of manufacturers under this section shall  
446 | be for a period of 3 years, subject to renewal by the  
447 | manufacturer. Upon application for renewal, the manufacturer must  
448 | submit the information described in subsection (1) or a sworn  
449 | statement that there has been no change in the status or content  
450 | of that information since the manufacturer's last submittal. Fees  
451 | for renewal of manufacturers' certification shall be established  
452 | by the department ~~commission~~ by rule.

453 |       Section 7. Subsections (11) and (12) of section 553.415,  
454 | Florida Statutes, are amended to read:

455 |       553.415 Factory-built school buildings.--

456 |       (11) The department shall require that an insignia bearing  
457 | the department's name and state seal and a manufacturer's data  
458 | plate ~~develop a unique identification label to~~ be affixed to all  
459 | newly constructed factory-built school buildings and existing  
460 | factory-built school buildings which have been brought into  
461 | compliance with the standards for existing "satisfactory"  
462 | buildings pursuant to chapter 5 of the Uniform Code for Public  
463 | Educational Facilities, and after March 1, 2002, the Florida





314100

464 Building Code. The department may charge a fee for issuing such  
465 insignias labels. The manufacturer's data plate ~~Such labels,~~  
466 ~~bearing the department's name and state seal,~~ shall, at a  
467 minimum, contain:

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

480 (12) Such insignia and data plate ~~identification label~~  
481 shall be permanently affixed by the manufacturer in the case of  
482 newly constructed factory-built school buildings, or by the  
483 department or its designee in the case of an existing factory-  
484 built building altered to comply with provisions of s. 1013.20.

485 Section 8. Subsection (11) is added to section 553.71,  
486 Florida Statutes, to read:

487 553.71 Definitions.--As used in this part, the term:

488 (11) "Temporary" includes, but is not limited to, buildings  
489 identified by, but not designated as permanent structures on, an  
490 approved development order.

491 Section 9. Paragraph (a) of subsection (6) and subsection  
492 (7) of section 553.73, Florida Statutes, are amended to read:

493 553.73 Florida Building Code.--



314100

494           (6) (a) The commission, by rule adopted pursuant to ss.  
495 120.536(1) and 120.54, shall update the Florida Building Code  
496 every 3 years. When updating the Florida Building Code, the  
497 commission shall select the most current version of the  
498 International Building Code, the International Fuel Gas Code, the  
499 International Mechanical Code, the International Plumbing Code,  
500 and the International Residential Code, all of which are adopted  
501 by the International Code Council, and the National Electrical  
502 Code, which is adopted by the National Fire Protection  
503 Association, to form the foundation codes of the updated Florida  
504 Building Code, if the version has been adopted by the applicable  
505 model code entity and made available to the public at least 6  
506 months prior to its selection by the commission. The commission  
507 may select the most current version of the International Energy  
508 Conservation Code as a foundation code if the code is modified by  
509 the commission to maintain the compliance methods and policies,  
510 without diminishing the building component efficiencies, of the  
511 Florida Energy Efficiency Code for Building Construction adopted  
512 and amended pursuant to this part.

513           (7) Notwithstanding the provisions of subsection (3) or  
514 subsection (6), the commission may address issues identified in  
515 this subsection by amending the code pursuant only to the rule  
516 adoption procedures contained in chapter 120. Provisions of the  
517 Florida Building Code, including those contained in referenced  
518 standards and criteria, relating to wind resistance or the  
519 prevention of water intrusion may not be amended pursuant to this  
520 subsection to diminish those construction requirements; however,  
521 the commission may, subject to conditions in this subsection,  
522 amend the provisions to enhance those construction requirements.  
523 Following the approval of any amendments to the Florida Building



314100

524 Code by the commission and publication of the amendments on the  
525 commission's website, authorities having jurisdiction to enforce  
526 the Florida Building Code may enforce the amendments. The  
527 commission may approve amendments that are needed to address:

528 (a) Conflicts within the updated code;  
529 (b) Conflicts between the updated code and the Florida Fire  
530 Prevention Code adopted pursuant to chapter 633;

531 (c) The omission of previously adopted Florida-specific  
532 amendments to the updated code if such omission is not supported  
533 by a specific recommendation of a technical advisory committee or  
534 particular action by the commission;

535 (d) Unintended results from the integration of previously  
536 adopted Florida-specific amendments with the model code; or

537 (e) Changes to federal or state law.

538 (f) Adoption of an updated edition of the National  
539 Electrical Code if the commission finds that delay of  
540 implementing the updated edition causes undue hardship to  
541 stakeholders or otherwise threatens the public health, safety,  
542 and welfare.

543 Section 10. Subsections (1) and (2) of section 553.74,  
544 Florida Statutes, are amended to read:

545 553.74 Florida Building Commission.--

546 (1) The Florida Building Commission is created and shall be  
547 located within the Department of Community Affairs for  
548 administrative purposes. Members shall be appointed by the  
549 Governor subject to confirmation by the Senate. The commission  
550 shall be composed of 23 members, consisting of the following:

551 (a) One architect registered to practice in this state and  
552 actively engaged in the profession. The American Institute of



314100

553 Architects, Florida Section, is encouraged to recommend a list of  
554 candidates for consideration.

555 (b) One structural engineer registered to practice in this  
556 state and actively engaged in the profession. The Florida  
557 Engineering Society is encouraged to recommend a list of  
558 candidates for consideration.

559 (c) One air-conditioning or mechanical contractor certified  
560 to do business in this state and actively engaged in the  
561 profession. The Florida Air Conditioning Contractors Association,  
562 the Florida Refrigeration and Air Conditioning Contractors  
563 Association, and the Mechanical Contractors Association of  
564 Florida are encouraged to recommend a list of candidates for  
565 consideration.

566 (d) One electrical contractor certified to do business in  
567 this state and actively engaged in the profession. The Florida  
568 Electrical Contractors Association and the National Electrical  
569 Contractors Association, Florida Chapter, are encouraged to  
570 recommend a list of candidates for consideration.

571 (e) One member from fire protection engineering or  
572 technology who is actively engaged in the profession. The Florida  
573 Chapter of the Society of Fire Protection Engineers and the  
574 Florida Fire Marshals and Inspectors Association are encouraged  
575 to recommend a list of candidates for consideration.

576 (f) One general contractor certified to do business in this  
577 state and actively engaged in the profession. The Associated  
578 Builders and Contractors of Florida, the Florida Associated  
579 General Contractors Council, and the Union Contractors  
580 Association are encouraged to recommend a list of candidates for  
581 consideration.



314100

582 (g) One plumbing contractor licensed to do business in this  
583 state and actively engaged in the profession. The Florida  
584 Association of Plumbing, Heating, and Cooling Contractors is  
585 encouraged to recommend a list of candidates for consideration.

586 (h) One roofing or sheet metal contractor certified to do  
587 business in this state and actively engaged in the profession.  
588 The Florida Roofing, Sheet Metal, and Air Conditioning  
589 Contractors Association and the Sheet Metal and Air Conditioning  
590 Contractors National Association are encouraged to recommend a  
591 list of candidates for consideration.

592 (i) One residential contractor licensed to do business in  
593 this state and actively engaged in the profession. The Florida  
594 Home Builders Association is encouraged to recommend a list of  
595 candidates for consideration.

596 (j) Three members who are municipal or district codes  
597 enforcement officials, one of whom is also a fire official. The  
598 Building Officials Association of Florida and the Florida Fire  
599 Marshals and Inspectors Association are encouraged to recommend a  
600 list of candidates for consideration.

601 (k) One member who represents the Department of Financial  
602 Services.

603 (l) One member who is a county codes enforcement official.  
604 The Building Officials Association of Florida is encouraged to  
605 recommend a list of candidates for consideration.

606 (m) One member of a Florida-based organization of persons  
607 with disabilities or a nationally chartered organization of  
608 persons with disabilities with chapters in this state.

609 (n) One member of the manufactured buildings industry who  
610 is licensed to do business in this state and is actively engaged



314100

611 in the industry. The Florida Manufactured Housing Association is  
612 encouraged to recommend a list of candidates for consideration.

613 (o) One mechanical or electrical engineer registered to  
614 practice in this state and actively engaged in the profession.  
615 The Florida Engineering Society is encouraged to recommend a list  
616 of candidates for consideration.

617 (p) One member who is a representative of a municipality or  
618 a charter county. The Florida League of Cities and the Florida  
619 Association of Counties are encouraged to recommend a list of  
620 candidates for consideration.

621 (q) One member of the building products manufacturing  
622 industry who is authorized to do business in this state and is  
623 actively engaged in the industry. The Florida Building Material  
624 Association, the Florida Concrete and Products Association, and  
625 the Fenestration Manufacturers Association are encouraged to  
626 recommend a list of candidates for consideration.

627 (r) One member who is a representative of the building  
628 owners and managers industry who is actively engaged in  
629 commercial building ownership or management. The Building Owners  
630 and Managers Association is encouraged to recommend a list of  
631 candidates for consideration.

632 (s) One member who is a representative of the insurance  
633 industry. The Florida Insurance Council is encouraged to  
634 recommend a list of candidates for consideration.

635 (t) One member who is a representative of public education.

636 (u) One member who is a swimming pool contractor licensed  
637 to do business in this state and actively engaged in the  
638 profession. The Florida Swimming Pool Association and the United  
639 Pool and Spa Association are encouraged to recommend a list of  
640 candidates for consideration ~~shall be the chair.~~



314100

641           (v) One member who is a representative of the green  
642 building industry and who is a third-party commission agent, a  
643 Florida board member of the United States Green Building Council  
644 or Green Building Initiative, or a LEED-accredited professional.

645           (w) One member who shall be the chair.

646

647 Any person serving on the commission under paragraph (c) or  
648 paragraph (h) on October 1, 2003, and who has served less than  
649 two full terms is eligible for reappointment to the commission  
650 regardless of whether he or she meets the new qualification.

651           (2) All appointments shall be for terms of 4 years, ~~except~~  
652 ~~that of the chair who shall serve at the pleasure of the~~  
653 ~~Governor~~. Each person who is a member of the Board of Building  
654 Codes and Standards on the effective date of this act shall serve  
655 the remainder of their term as a member of the Florida Building  
656 Commission. ~~Except for the chair, newly created positions on the~~  
657 ~~Florida Building Commission shall be appointed after February 1,~~  
658 ~~1999. A vacancy shall be filled for the remainder of the~~  
659 ~~unexpired term~~. Any member who shall, during his or her term,  
660 cease to meet the qualifications for original appointment,  
661 through ceasing to be a practicing member of the profession  
662 indicated or otherwise, shall thereby forfeit membership on the  
663 commission.

664           Section 11. Section 553.75, Florida Statutes, is amended to  
665 read:

666           553.75 Organization of commission; rules and regulations;  
667 meetings; staff; fiscal affairs; public comment.--

668           (1) The commission shall meet on call of the secretary. The  
669 commission shall annually elect from its appointive members such  
670 officers as it may choose.



314100

671 (2) The commission shall meet at the call of its chair, at  
672 the request of a majority of its membership, at the request of  
673 the department, or at such times as may be prescribed by its  
674 rules. The members shall be notified in writing of the time and  
675 place of a regular or special meeting at least 7 days in advance  
676 of the meeting. A majority of members of the commission shall  
677 constitute a quorum.

678 (3) The department shall be responsible for the provision  
679 of administrative and staff support services relating to the  
680 functions of the commission. With respect to matters within the  
681 jurisdiction of the commission, the department shall be  
682 responsible for the implementation and faithful discharge of all  
683 decisions of the commission made pursuant to its authority under  
684 the provisions of this part. The department is specifically  
685 authorized to use communications media technology in conducting  
686 meetings of the commission or any meetings held in conjunction  
687 with meetings of the commission.

688 (4) Meetings of the commission shall be conducted so as to  
689 encourage participation by interested persons in attendance. At a  
690 minimum, the commission shall provide one opportunity for  
691 interested members of the public in attendance at a meeting to  
692 comment on each proposed action of the commission before a final  
693 vote is taken on any motion.

694 Section 12. Present subsection (5) of section 553.77,  
695 Florida Statutes, is renumbered as subsection (6), and a new  
696 subsection (5) is added to that section, to read:

697 553.77 Specific powers of the commission.--

698 (5) The commission may implement its recommendations  
699 delivered pursuant to subsection (2) of section 48 of chapter  
700 2007-73, Laws of Florida, by amending the Florida Energy





314100

701 Efficiency Code for Building Construction as provided in s.  
702 553.901.

703 Section 13. Subsection (5) of section 553.775, Florida  
704 Statutes, is amended to read:

705 553.775 Interpretations.--

706 (5) The commission may render declaratory statements in  
707 accordance with s. 120.565 relating to the provisions of the  
708 Florida Accessibility Code for Building Construction not  
709 attributable to the Americans with Disabilities Act Accessibility  
710 Guidelines. Notwithstanding the other provisions of this section,  
711 the Florida Accessibility Code for Building Construction and  
712 chapter 11 of the Florida Building Code may not be interpreted  
713 by, and are not subject to review under, any of the procedures  
714 specified in this section. This subsection has no effect upon the  
715 commission's authority to waive the Florida Accessibility Code  
716 for Building Construction as provided by s. 553.512.

717 Section 14. Paragraph (a) of subsection (1) of section  
718 553.80, Florida Statutes, is amended to read:

719 553.80 Enforcement.--

720 (1) Except as provided in paragraphs (a)-(f), each local  
721 government and each legally constituted enforcement district with  
722 statutory authority shall regulate building construction and,  
723 where authorized in the state agency's enabling legislation, each  
724 state agency shall enforce the Florida Building Code required by  
725 this part on all public or private buildings, structures, and  
726 facilities, unless such responsibility has been delegated to  
727 another unit of government pursuant to s. 553.79(9).

728 (a) Construction regulations relating to correctional  
729 facilities under the jurisdiction of the Department of  
730 Corrections and the Department of Juvenile Justice, and secure



314100

731 mental-health-treatment facilities under the jurisdiction of the  
732 Department of Children and Family Services, are to be enforced  
733 exclusively by those departments.

734  
735 The governing bodies of local governments may provide a schedule  
736 of fees, as authorized by s. 125.56(2) or s. 166.222 and this  
737 section, for the enforcement of the provisions of this part. Such  
738 fees shall be used solely for carrying out the local government's  
739 responsibilities in enforcing the Florida Building Code. The  
740 authority of state enforcing agencies to set fees for enforcement  
741 shall be derived from authority existing on July 1, 1998.  
742 However, nothing contained in this subsection shall operate to  
743 limit such agencies from adjusting their fee schedule in  
744 conformance with existing authority.

745 Section 15. Paragraph (b) of subsection (2) of section  
746 553.844, Florida Statutes, is amended to read:

747 553.844 Windstorm loss mitigation; requirements for roofs  
748 and opening protection.--

749 (2) The Florida Building Commission shall:

750 (b) Develop and adopt within the Florida Building Code a  
751 means to incorporate recognized mitigation techniques for site-  
752 built, single-family residential structures constructed before  
753 ~~prior to~~ the implementation of the Florida Building Code,  
754 including, but not limited to:

755 1. Prescriptive techniques for the installation of gable-  
756 end bracing;

757 2. Secondary water barriers for roofs and standards  
758 relating to secondary water barriers. The criteria may include,  
759 but need not be limited to, roof shape, slope, and composition of



314100

760 all elements of the roof system. The criteria may not be limited  
761 to one method or material for a secondary water barrier;

762 3. Prescriptive techniques for improvement of roof-to-wall  
763 connections. The Legislature recognizes that the cost of  
764 retrofitting existing buildings to meet the code requirements for  
765 new construction in this regard may exceed the practical benefit  
766 to be attained. The Legislature intends for the commission to  
767 provide for the integration of alternate, lower-cost means that  
768 may be employed to retrofit existing buildings that are not  
769 otherwise required to comply with the requirements of the Florida  
770 Building Code for new construction so that the cost of such  
771 improvements does not exceed approximately 15 percent of the cost  
772 of reroofing. For houses that have both hip and gable roof ends,  
773 the priority shall be to retrofit the gable end roof-to-wall  
774 connections unless the width of the hip is more than 1.5 times  
775 greater than the width of the gable end. Priority shall be given  
776 to connecting the corners of roofs to walls below the locations  
777 at which the spans of the roofing members are greatest;

778 4. Strengthening or correcting roof-decking attachments and  
779 fasteners during reroofing; and

780 5. Adding or strengthening opening protections.

781 Section 16. Subsection (1) of section 553.885, Florida  
782 Statutes, is amended to read:

783 553.885 Carbon monoxide alarm required.--

784 (1) Every building for which a building permit is issued  
785 for new construction on or after July 1, 2008, and having a  
786 fossil-fuel-burning heater or appliance, a fireplace, or an  
787 attached garage shall have an approved operational carbon  
788 monoxide alarm installed within 10 feet of each room used for  
789 sleeping purposes. In lieu of this requirement, for a new



314100

790 | hospital or nursing home facility licensed by the Agency for  
791 | Health Care Administration, an operational carbon monoxide  
792 | detector shall be installed inside or directly outside of each  
793 | room or area within the building where a fossil-fuel-burning  
794 | heater, engine, or appliance is located. This detector shall be  
795 | connected to the fire alarm system of the facility as a  
796 | supervisory signal.

797 |       Section 17. Section 553.886, Florida Statutes, is created  
798 | to read:

799 |       553.886 Energy-efficiency technologies.--The provisions of  
800 | the Florida Building Code must facilitate and promote the use of  
801 | cost-effective energy conservation, energy-demand management, and  
802 | renewable energy technologies in buildings.

803 |       Section 18. Section 553.901, Florida Statutes, is amended  
804 | to read:

805 |       553.901 Purpose of thermal efficiency code.--The Department  
806 | of Community Affairs shall prepare a thermal efficiency code to  
807 | provide for a statewide uniform standard for energy efficiency in  
808 | the thermal design and operation of all buildings statewide,  
809 | consistent with energy conservation goals, and to best provide  
810 | for public safety, health, and general welfare. The Florida  
811 | Building Commission shall adopt the Florida Energy Efficiency  
812 | Code for Building Construction within the Florida Building Code,  
813 | and shall modify, revise, update, and maintain the code to  
814 | implement the provisions of this thermal efficiency code and  
815 | amendments thereto, in accordance with the procedures of chapter  
816 | 120. The department shall, at least triennially, determine the  
817 | most cost-effective energy-saving equipment and techniques  
818 | available and report its determinations to the commission, which  
819 | shall update the code to incorporate such equipment and



314100

820 techniques. The proposed changes shall be made available for  
821 public review and comment no later than 6 months prior to code  
822 implementation. Before adoption of any additional amendments to  
823 the Florida Energy Efficiency Code for Building Construction, the  
824 commission shall adopt by rule a definition of the term "cost-  
825 effective," for the purposes of this part, which shall include  
826 the criteria and measures to be used by the commission to  
827 evaluate proposed amendments shall be construed to mean cost-  
828 effective to the consumer.

829 Section 19. Section 553.9061, Florida Statutes, is created  
830 to read:

831 553.9061 Scheduled increases in thermal efficiency  
832 standards.--

833 (1) This section establishes a schedule of required  
834 increases in the energy-efficiency performance of buildings that  
835 are subject to the requirements for energy efficiency as  
836 contained in the current edition of the Florida Building Code.  
837 The Florida Building Commission shall implement the following  
838 energy-efficiency goals using the triennial code-adoption process  
839 established for updates to the Florida Building Code in s.  
840 553.73:

841 (a) Include requirements in the 2010 edition of the Florida  
842 Building Code to increase the energy-efficiency performance of  
843 new buildings by at least 20 percent as compared to the  
844 performance achieved as a result of the implementation of the  
845 energy-efficiency provisions contained in the 2004 edition of the  
846 Florida Building Code, as amended on May 22, 2007;

847 (b) Include requirements in the 2013 edition of the Florida  
848 Building Code to increase the energy-efficiency performance of  
849 new buildings by at least 30 percent as compared to the



314100

850 performance achieved as a result of the implementation of the  
851 energy-efficiency provisions contained in the 2004 edition of the  
852 Florida Building Code, as amended on May 22, 2007;

853 (c) Include requirements in the 2016 edition of the Florida  
854 Building Code to increase the energy-efficiency performance of  
855 new buildings by at least 40 percent as compared to the  
856 performance achieved as a result of the implementation of the  
857 energy-efficiency provisions contained in the 2004 edition of the  
858 Florida Building Code, as amended on May 22, 2007; and

859 (d) Include requirements in the 2019 edition of the Florida  
860 Building Code to increase the energy-efficiency performance of  
861 new buildings by at least 50 percent as compared to the  
862 performance achieved as a result of the implementation of the  
863 energy-efficiency provisions contained in the 2004 edition of the  
864 Florida Building Code, as amended on May 22, 2007.

865 (2) The commission shall identify in any code-support and  
866 compliance documentation the specific building options and  
867 elements available to meet the energy-efficiency performance  
868 requirements under subsection (1). Energy-efficiency performance  
869 options and elements include, but are not limited to:

- 870 (a) Solar water heating;
- 871 (b) Energy-efficient appliances;
- 872 (c) Energy-efficient windows, doors, and skylights;
- 873 (d) Low solar-absorption roofs, also known as "cool roofs";
- 874 (e) Enhanced ceiling and wall insulation;
- 875 (f) Reduced-leak duct systems;
- 876 (g) Programmable thermostats; and
- 877 (h) Energy-efficient lighting systems.

878 (3) The Florida Energy Commission shall review the energy-  
879 efficiency goals established in subsection (1) at least once



314100

880 every 3 years, and such review must be completed before the  
881 triennial code-adoption process established in s. 553.73.

882 Section 20. (1) The Florida Building Commission shall  
883 conduct a study to evaluate the energy-efficiency rating of new  
884 buildings and appliances. The study must include a review of the  
885 current energy-efficiency ratings and consumer labeling  
886 requirements specified in chapter 553, Florida Statutes. The  
887 commission shall submit a written report of its study to the  
888 President of the Senate and the Speaker of the House of  
889 Representatives on or before February 1, 2009. The report must  
890 contain the commission's recommendations regarding the  
891 strengthening and integration of energy-efficiency ratings and  
892 labeling requirements.

893 (2) The provisions of this section expire July 1, 2009.

894 Section 21. (1) The Florida Building Commission shall  
895 conduct a study to evaluate opportunities to restructure the  
896 Florida Energy Efficiency Code for Building Construction to  
897 achieve long-range improvements to building energy performance.  
898 During such study, the commission shall address the integration  
899 of the Thermal Efficiency Code established in part V of chapter  
900 553, Florida Statutes, the Energy Conservation Standards Act  
901 established in part VI of chapter 553, Florida Statutes, and the  
902 Florida Building Energy-Efficiency Rating Act established in part  
903 VIII of chapter 553, Florida Statutes.

904 (2) The commission shall submit a report containing  
905 specific recommendations on the integration of the code and acts  
906 identified in subsection (1) to the President of the Senate and  
907 the Speaker of the House of Representatives on or before February  
908 1, 2009.

909 (3) The provisions of this section expire July 1, 2009.



314100

910           Section 22. (1) The Department of Community Affairs, in  
911 conjunction with the Florida Energy Affordability Coalition,  
912 shall identify and review issues relating to the Low-Income Home  
913 Energy Assistance Program and the Weatherization Assistance  
914 Program, and identify recommendations that:

915           (a) Support customer health, safety, and well-being;  
916           (b) Maximize available financial and energy-conservation  
917 assistance;

918           (c) Improve the quality of service to customers seeking  
919 assistance; and

920           (d) Educate customers to make informed decisions regarding  
921 energy use and conservation.

922           (2) On or before January 1, 2009, the department shall  
923 report its findings and any recommended statutory changes  
924 required to implement such findings to the President of the  
925 Senate and the Speaker of the House of Representatives.

926           (3) The provisions of this section expire July 1, 2009.

927           Section 23. Section 553.731, Florida Statutes, is repealed.

928           Section 24. Subsection (6) is added to section 718.113,  
929 Florida Statutes, to read:

930           718.113 Maintenance; limitation upon improvement; display  
931 of flag; hurricane shutters.--

932           (6) Notwithstanding the provisions of this section or the  
933 governing documents of a condominium or a multicondominium  
934 association, the board of administration may, without any  
935 requirement for approval of the unit owners, install upon or  
936 within the common elements or association property solar  
937 collectors, clotheslines, or other energy-efficient devices based  
938 on renewable resources for the benefit of the unit owners.





314100

939           Section 25. The Florida Building Commission shall submit  
940 the text of the rule required by section 18 of this act to the  
941 Legislature in its report to the 2009-2010 Legislature, and shall  
942 provide an effective date for the rule by July 1, 2009.

943           Section 26. This act shall take effect July 1, 2008.

944  
945 ===== T I T L E   A M E N D M E N T =====

946 And the title is amended as follows:

947           Delete everything before the enacting clause  
948 and insert:

949                                   A bill to be entitled  
950           An act relating to energy efficiency and conservation;  
951           amending s. 163.04, F.S.; revising provisions authorizing  
952           the use of solar collectors and other energy devices;  
953           amending s. 163.3177, F.S.; revising requirements for the  
954           future land use element of a local comprehensive plan to  
955           include energy-efficient land use patterns and greenhouse  
956           gas reduction strategies; requiring that the traffic-  
957           circulation element of a local comprehensive plan  
958           incorporate transportation strategies to reduce greenhouse  
959           gas emissions; requiring that the land use map or map  
960           series contained in the future land use element of a local  
961           comprehensive plan identify and depict energy  
962           conservation; requiring that the home element of a local  
963           comprehensive plan include energy efficiency in the design  
964           and construction of new housing and use of renewable  
965           energy resources; requiring each unit of local government  
966           within an urbanized area to amend the transportation  
967           element of a local comprehensive plan to incorporate  
968           transportation strategies addressing reduction in



314100

969 | greenhouse gas emissions; amending s. 489.105, F.S.;

970 | expanding the scope of the definition of "roofing

971 | contractor" to include contractors performing required

972 | roof-deck attachments and any repair or replacement of

973 | wood roof sheathing or fascia as needed during roof repair

974 | or replacement; amending s. 553.36, F.S.; redefining the

975 | term "manufactured building" for purposes of the Florida

976 | Manufactured Building Act to include modular and factory-

977 | built buildings; amending s. 553.37, F.S.; requiring the

978 | Department of Community Affairs to adopt rules related to

979 | the inspection, construction, and modification of

980 | manufactured buildings; requiring the department to

981 | develop an insignia to be affixed to newly constructed

982 | manufactured buildings; authorizing the department to

983 | charge a fee for the insignia; providing requirements for

984 | the insignia; requiring the department to develop minimum

985 | criteria for a manufacturer's data plate; amending s.

986 | 553.381, F.S.; conforming provisions; amending s. 553.415,

987 | F.S.; requiring the department to require that an insignia

988 | be affixed to all newly constructed factory-built school

989 | buildings; providing requirements for the manufacturer's

990 | data plate; amending s. 553.71, F.S.; providing a

991 | definition; amending s. 553.73, F.S.; expanding required

992 | codes to be included in Florida Building Code updates;

993 | expanding the list of reasons the commission may amend the

994 | Florida Building Code; amending s. 553.74., F.S.; revising

995 | requirements for selecting members of the Florida Building

996 | Commission; revising membership of the commission;

997 | deleting obsolete provisions; amending s. 553.75, F.S.;

998 | authorizing the Florida Building Commission to use



314100

999 | communications media technology in conducting its meetings  
1000 | or meetings held in conjunction with commission meetings;  
1001 | providing for public comment at meetings of the  
1002 | commission; amending s. 553.77, F.S.; authorizing the  
1003 | commission to implement recommendations relating to energy  
1004 | efficiency in residential and commercial buildings;  
1005 | amending s. 553.775, F.S.; authorizing the commission to  
1006 | render declaratory statements; amending s. 553.80, F.S.;  
1007 | providing that the enforcement of construction regulations  
1008 | relating to facilities for mental health treatment are  
1009 | under the jurisdiction of the Department of Children and  
1010 | Family Services; amending s. 553.844, F.S.; revising  
1011 | provisions requiring the adoption of certain mitigation  
1012 | techniques by the Florida Building Commission within the  
1013 | Florida Building Code for certain structures; amending s.  
1014 | 553.885, F.S.; requiring the installation of carbon  
1015 | monoxide detectors in certain new hospitals and nursing  
1016 | homes; creating s. 553.886, F.S.; requiring that the  
1017 | Florida Building Code facilitate and promote the use of  
1018 | certain renewable energy technologies in buildings;  
1019 | amending s. 553.901, F.S.; requiring the commission to  
1020 | adopt by rule a definition of the term "cost-effective";  
1021 | creating s. 553.9061, F.S.; establishing a schedule of  
1022 | required increases in the energy performance of buildings  
1023 | subject to the Florida Building Code; providing a process  
1024 | for implementing goals to increase energy-efficiency  
1025 | performance in new buildings; providing a schedule for the  
1026 | implementation of such goals; identifying energy-  
1027 | efficiency performance options and elements available to  
1028 | meet energy-efficiency performance requirements; providing



314100

1029 | a schedule for the review and adoption of renewable  
1030 | energy-efficiency goals by the commission; requiring the  
1031 | commission to conduct a study to evaluate the energy-  
1032 | efficiency rating of new buildings and appliances;  
1033 | requiring the commission to submit a report to the  
1034 | President of the Senate and the Speaker of the House of  
1035 | Representatives on or before a specified date; requiring  
1036 | the commission to conduct a study to evaluate  
1037 | opportunities to restructure the Florida Energy Code for  
1038 | Building Construction, including the integration of the  
1039 | Thermal Efficiency Code, the Energy Conservation Standards  
1040 | Act, and the Florida Building Energy-Efficiency Rating  
1041 | Act; requiring the commission to submit a report to the  
1042 | President of the Senate and the Speaker of the House of  
1043 | Representatives on or before a specified date; directing  
1044 | the Department of Community Affairs, in conjunction with  
1045 | the Florida Energy Affordability Council, to identify and  
1046 | review issues relating to the Low-Income Home Energy  
1047 | Assistance Program and the Weatherization Assistance  
1048 | Program; requiring the submission of a report to the  
1049 | President of the Senate and the Speaker of the House of  
1050 | Representatives on or before a specified date; providing  
1051 | for the expiration of certain study requirements;  
1052 | repealing s. 553.731 F.S., relating to wind-borne debris  
1053 | protection requirements; amending s. 718.113, F.S.;  
1054 | authorizing the board of a condominium or a  
1055 | multicondominium to install solar collectors,  
1056 | clotheslines, or other energy-efficient devices on  
1057 | association property; requiring the commission to include

Bill No. CS for CS for SB 560



314100

1058 |        certain information in its report to the Legislature;  
1059 |        providing an effective date.