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1 A bill to be entitled
2 An act relating to building code standards; amending s.
3 163.04, F.S.; revising provisions authorizing the use of
4 solar collectors and other energy devices; amending s.
5 163.3177, F.S.; revising requirements for the future land
6 use element of a local comprehensive plan to include
7 energy-efficient land use patterns and greenhouse gas
8 reduction strategies; requiring that the traffic-
9 circulation element of a local comprehensive plan
10 incorporate transportation strategies to reduce greenhouse
11 gas emissions; requiring that the land use map or map
12 series contained in the future land use element of a local
13 comprehensive plan identify and depict energy
14 conservation; requiring that the home element of a local
15 comprehensive plan include energy efficiency in the design
16 and construction of new housing and use of renewable
17 energy resources; providing that certain counties may not
18 receive state affordable housing funds under certain
19 circumstances; requiring each unit of local government
20 within an urbanized area to amend the transportation
21 element of a local comprehensive plan to incorporate
22 transportation strategies addressing reduction in
23 greenhouse gas emissions; amending s. 489.105, F.S.;
24 expanding the scope of the definition of "roofing
25 contractor" to include contractors performing required
26 roof-deck attachments and any repair or replacement of
27 wood roof sheathing or fascia as needed during roof repair
28 or replacement; amending s. 553.36, F.S.; redefining the
29 term "manufactured building" for purposes of the Florida

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30 Manufactured Building Act to include modular and factory-
31 built buildings; amending s. 553.37, F.S.; requiring the
32 Department of Community Affairs to adopt rules related to
33 the inspection, construction, and modification of
34 manufactured buildings; requiring the department to
35 develop an insignia to be affixed to newly constructed
36 manufactured buildings; authorizing the department to
37 charge a fee for the insignia; providing requirements for
38 the insignia; requiring the department to develop minimum
39 criteria for a manufacturer's data plate; amending s.
40 553.381, F.S.; conforming provisions; amending s. 553.415,
41 F.S.; requiring the department to require that an insignia
42 be affixed to all newly constructed factory-built school
43 buildings; providing requirements for the manufacturer's
44 data plate; amending s. 553.71, F.S.; providing a
45 definition; amending s. 553.73, F.S.; expanding required
46 codes to be included in Florida Building Code updates;
47 expanding the list of reasons the commission may amend the
48 Florida Building Code; providing requirements for the
49 retroactive application of parts of the Florida Building
50 Code to commercial wireless communications towers;
51 amending s. 553.74, F.S.; revising requirements for
52 selecting members of the Florida Building Commission;
53 revising membership of the commission; deleting obsolete
54 provisions; amending s. 553.75, F.S.; authorizing the
55 Florida Building Commission to use communications media
56 technology in conducting its meetings or meetings held in
57 conjunction with commission meetings; providing for public
58 comment at meetings of the commission; amending s. 553.77,

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59 F.S.; authorizing the commission to implement
60 recommendations relating to energy efficiency in
61 residential and commercial buildings; amending s. 553.775,
62 F.S.; authorizing the commission to render declaratory
63 statements; amending s. 553.80, F.S.; providing that the
64 enforcement of construction regulations relating to secure
65 mental health treatment facilities under the jurisdiction
66 of the Department of Children and Family Services shall be
67 enforced exclusively by the department in conjunction with
68 the review authority of the Agency for Health Care
69 Administration; amending s. 553.842, F.S.; requiring the
70 commission to review the list of product evaluation
71 entities; providing reporting requirements; providing for
72 rulemaking; designating an entity as an approved
73 production evaluation entity until October 1, 2009;
74 providing criteria for substitution of approved products
75 under certain conditions; providing for the expiration of
76 certain product approvals; amending s. 553.844, F.S.;
77 revising provisions requiring the adoption of certain
78 mitigation techniques by the Florida Building Commission
79 within the Florida Building Code for certain structures;
80 amending s. 553.885, F.S.; requiring the installation of
81 carbon monoxide detectors in certain new hospitals,
82 hospice and nursing homes facilities; creating s. 553.886,
83 F.S.; requiring that the Florida Building Code facilitate
84 and promote the use of certain renewable energy
85 technologies in buildings; amending s. 553.901, F.S.;
86 requiring the commission to adopt by rule a definition of
87 the term "cost-effective"; creating s. 553.9061, F.S.;

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88 establishing a schedule of required increases in the
89 energy performance of buildings subject to the Florida
90 Building Code; providing a process for implementing goals
91 to increase energy-efficiency performance in new
92 buildings; providing a schedule for the implementation of
93 such goals; identifying energy-efficiency performance
94 options and elements available to meet energy-efficiency
95 performance requirements; providing a schedule for the
96 review and adoption of renewable energy-efficiency goals
97 by the commission; requiring the commission to conduct a
98 study to evaluate the energy-efficiency rating of new
99 buildings and appliances; requiring the commission to
100 submit a report to the President of the Senate and the
101 Speaker of the House of Representatives on or before a
102 specified date; requiring the commission to conduct a
103 study to evaluate opportunities to restructure the Florida
104 Energy Code for Building Construction, including the
105 integration of the Thermal Efficiency Code, the Energy
106 Conservation Standards Act, and the Florida Building
107 Energy-Efficiency Rating Act; requiring the commission to
108 submit a report to the President of the Senate and the
109 Speaker of the House of Representatives on or before a
110 specified date; directing the Department of Community
111 Affairs, in conjunction with the Florida Energy
112 Affordability Council, to identify and review issues
113 relating to the Low-Income Home Energy Assistance Program
114 and the Weatherization Assistance Program; requiring the
115 submission of a report to the President of the Senate and
116 the Speaker of the House of Representatives on or before a

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117 specified date; providing for the expiration of certain
118 study requirements; repealing s. 553.731, F.S., relating
119 to wind-borne debris protection requirements; providing
120 for construction and interpretation of the repeal;
121 repealing s. 627.351(6)(a)6., F.S.; providing requirements
122 for certain properties to meet building code plus
123 requirements as a condition of eligibility for coverage by
124 Citizens Property Insurance Corporation; amending s.
125 718.113, F.S.; authorizing the board of a condominium or a
126 multicondominium to install solar collectors,
127 clotheslines, or other energy-efficient devices on
128 association property; requiring the Florida Building
129 Commission to include certain information in its report to
130 the Legislature; providing an effective date.

131
132 Be It Enacted by the Legislature of the State of Florida:

133
134 Section 1. Subsection (2) of section 163.04, Florida
135 Statutes, is amended to read:

136 163.04 Energy devices based on renewable resources.--

137 (2) A deed restriction, covenant, declaration, or similar
138 binding agreement may not ~~No deed restrictions, covenants, or~~
139 ~~similar binding agreements running with the land shall prohibit~~
140 or have the effect of prohibiting solar collectors, clotheslines,
141 or other energy devices based on renewable resources from being
142 installed on buildings erected on the lots or parcels covered by
143 the deed restriction, covenant, declaration, or binding agreement
144 ~~restrictions, covenants, or binding agreements~~. A property owner
145 may not be denied permission to install solar collectors or other

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146 energy devices ~~based on renewable resources~~ by any entity granted
147 the power or right in any deed restriction, covenant,
148 declaration, or similar binding agreement to approve, forbid,
149 control, or direct alteration of property with respect to
150 residential dwellings and within the boundaries of a condominium
151 unit not exceeding three stories in height. ~~For purposes of this~~
152 ~~subsection~~, Such entity may determine the specific location where
153 solar collectors may be installed on the roof within an
154 orientation to the south or within 45° east or west of due south
155 ~~if provided that~~ such determination does not impair the effective
156 operation of the solar collectors.

157 Section 2. Paragraphs (a), (b), (d), (f), and (j) of
158 subsection (6) of section 163.3177, Florida Statutes, are amended
159 to read:

160 163.3177 Required and optional elements of comprehensive
161 plan; studies and surveys.--

162 (6) In addition to the requirements of subsections (1)-(5)
163 and (12), the comprehensive plan shall include the following
164 elements:

165 (a) A future land use plan element designating proposed
166 future general distribution, location, and extent of the uses of
167 land for residential uses, commercial uses, industry,
168 agriculture, recreation, conservation, education, public
169 buildings and grounds, other public facilities, and other
170 categories of the public and private uses of land. Counties are
171 encouraged to designate rural land stewardship areas, pursuant to
172 the provisions of paragraph (11)(d), as overlays on the future
173 land use map. Each future land use category must be defined in
174 terms of uses included, and must include standards to be followed

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175 in the control and distribution of population densities and
176 building and structure intensities. The proposed distribution,
177 location, and extent of the various categories of land use shall
178 be shown on a land use map or map series which shall be
179 supplemented by goals, policies, and measurable objectives. The
180 future land use plan shall be based upon surveys, studies, and
181 data regarding the area, including the amount of land required to
182 accommodate anticipated growth; the projected population of the
183 area; the character of undeveloped land; the availability of
184 water supplies, public facilities, and services; the need for
185 redevelopment, including the renewal of blighted areas and the
186 elimination of nonconforming uses which are inconsistent with the
187 character of the community; the compatibility of uses on lands
188 adjacent to or closely proximate to military installations; the
189 discouragement of urban sprawl; energy-efficient land use
190 patterns accounting for existing and future electric power
191 generation and transmission systems; greenhouse gas reduction
192 strategies; and, in rural communities, the need for job creation,
193 capital investment, and economic development that will strengthen
194 and diversify the community's economy. The future land use plan
195 may designate areas for future planned development use involving
196 combinations of types of uses for which special regulations may
197 be necessary to ensure development in accord with the principles
198 and standards of the comprehensive plan and this act. The future
199 land use plan element shall include criteria to be used to
200 achieve the compatibility of adjacent or closely proximate lands
201 with military installations. In addition, for rural communities,
202 the amount of land designated for future planned industrial use
203 shall be based upon surveys and studies that reflect the need for

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204 job creation, capital investment, and the necessity to strengthen
205 and diversify the local economies, and shall not be limited
206 solely by the projected population of the rural community. The
207 future land use plan of a county may also designate areas for
208 possible future municipal incorporation. The land use maps or map
209 series shall generally identify and depict historic district
210 boundaries and shall designate historically significant
211 properties meriting protection. For coastal counties, the future
212 land use element must include, without limitation, regulatory
213 incentives and criteria that encourage the preservation of
214 recreational and commercial working waterfronts as defined in s.
215 342.07. The future land use element must clearly identify the
216 land use categories in which public schools are an allowable use.
217 When delineating the land use categories in which public schools
218 are an allowable use, a local government shall include in the
219 categories sufficient land proximate to residential development
220 to meet the projected needs for schools in coordination with
221 public school boards and may establish differing criteria for
222 schools of different type or size. Each local government shall
223 include lands contiguous to existing school sites, to the maximum
224 extent possible, within the land use categories in which public
225 schools are an allowable use. The failure by a local government
226 to comply with these school siting requirements will result in
227 the prohibition of the local government's ability to amend the
228 local comprehensive plan, except for plan amendments described in
229 s. 163.3187(1)(b), until the school siting requirements are met.
230 Amendments proposed by a local government for purposes of
231 identifying the land use categories in which public schools are
232 an allowable use are exempt from the limitation on the frequency

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233 of plan amendments contained in s. 163.3187. The future land use
234 element shall include criteria that encourage the location of
235 schools proximate to urban residential areas to the extent
236 possible and shall require that the local government seek to
237 collocate public facilities, such as parks, libraries, and
238 community centers, with schools to the extent possible and to
239 encourage the use of elementary schools as focal points for
240 neighborhoods. For schools serving predominantly rural counties,
241 defined as a county with a population of 100,000 or fewer, an
242 agricultural land use category shall be eligible for the location
243 of public school facilities if the local comprehensive plan
244 contains school siting criteria and the location is consistent
245 with such criteria. Local governments required to update or amend
246 their comprehensive plan to include criteria and address
247 compatibility of adjacent or closely proximate lands with
248 existing military installations in their future land use plan
249 element shall transmit the update or amendment to the department
250 by June 30, 2006.

251 (b) A traffic circulation element consisting of the types,
252 locations, and extent of existing and proposed major
253 thoroughfares and transportation routes, including bicycle and
254 pedestrian ways. Transportation corridors, as defined in s.
255 334.03, may be designated in the traffic circulation element
256 pursuant to s. 337.273. If the transportation corridors are
257 designated, the local government may adopt a transportation
258 corridor management ordinance. The traffic circulation element
259 shall incorporate transportation strategies to address reduction
260 in greenhouse gas emissions from the transportation sector.

261 (d) A conservation element for the conservation, use, and

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262 protection of natural resources in the area, including air,
263 water, water recharge areas, wetlands, waterwells, estuarine
264 marshes, soils, beaches, shores, flood plains, rivers, bays,
265 lakes, harbors, forests, fisheries and wildlife, marine habitat,
266 minerals, and other natural and environmental resources,
267 including factors that affect energy conservation. Local
268 governments shall assess their current, as well as projected,
269 water needs and sources for at least a 10-year period,
270 considering the appropriate regional water supply plan approved
271 pursuant to s. 373.0361, or, in the absence of an approved
272 regional water supply plan, the district water management plan
273 approved pursuant to s. 373.036(2). This information shall be
274 submitted to the appropriate agencies. The land use map or map
275 series contained in the future land use element shall generally
276 identify and depict the following:

- 277 1. Existing and planned waterwells and cones of influence
278 where applicable.
- 279 2. Beaches and shores, including estuarine systems.
- 280 3. Rivers, bays, lakes, flood plains, and harbors.
- 281 4. Wetlands.
- 282 5. Minerals and soils.
- 283 6. Energy conservation.

284
285 The land uses identified on such maps shall be consistent with
286 applicable state law and rules.

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

- 289 a. The provision of housing for all current and anticipated
290 future residents of the jurisdiction.

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291 b. The elimination of substandard dwelling conditions.

292 c. The structural and aesthetic improvement of existing
293 housing.

294 d. The provision of adequate sites for future housing,
295 including affordable workforce housing as defined in s.
296 380.0651(3)(j), housing for low-income, very low-income, and
297 moderate-income families, mobile homes, and group home facilities
298 and foster care facilities, with supporting infrastructure and
299 public facilities.

300 e. Provision for relocation housing and identification of
301 historically significant and other housing for purposes of
302 conservation, rehabilitation, or replacement.

303 f. The formulation of housing implementation programs.

304 g. The creation or preservation of affordable housing to
305 minimize the need for additional local services and avoid the
306 concentration of affordable housing units only in specific areas
307 of the jurisdiction.

308 h. Energy efficiency in the design and construction of new
309 housing.

310 i. Use of renewable energy resources.

311 j. h. By July 1, 2008, Each county in which the gap between
312 the buying power of a family of four and the median county home
313 sale price exceeds \$170,000, as determined by the Florida Housing
314 Finance Corporation, and which is not designated as an area of
315 critical state concern shall adopt a plan for ensuring affordable
316 workforce housing. At a minimum, the plan shall identify adequate
317 sites for such housing. For purposes of this sub-subparagraph,
318 the term "workforce housing" means housing that is affordable to
319 natural persons or families whose total household income does not

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320 exceed 140 percent of the area median income, adjusted for
321 household size.

322 k. As a precondition to receiving any state affordable
323 housing funding or allocation for any project or program within
324 the jurisdiction of a county that is subject to sub-subparagraph
325 j., a county must, by July 1 of each year, provide certification
326 that the county has complied with the requirements of sub-
327 subparagraph j.

328 ~~i. Failure by a local government to comply with the~~
329 ~~requirement in sub-subparagraph h. will result in the local~~
330 ~~government being ineligible to receive any state housing~~
331 ~~assistance grants until the requirement of sub-subparagraph h. is~~
332 ~~met.~~

333
334 The goals, objectives, and policies of the housing element must
335 be based on the data and analysis prepared on housing needs,
336 including the affordable housing needs assessment. State and
337 federal housing plans prepared on behalf of the local government
338 must be consistent with the goals, objectives, and policies of
339 the housing element. Local governments are encouraged to use
340 ~~utilize~~ job training, job creation, and economic solutions to
341 address a portion of their affordable housing concerns.

342 2. To assist local governments in housing data collection
343 and analysis and assure uniform and consistent information
344 regarding the state's housing needs, the state land planning
345 agency shall conduct an affordable housing needs assessment for
346 all local jurisdictions on a schedule that coordinates the
347 implementation of the needs assessment with the evaluation and
348 appraisal reports required by s. 163.3191. Each local government

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349 shall utilize the data and analysis from the needs assessment as
350 one basis for the housing element of its local comprehensive
351 plan. The agency shall allow a local government the option to
352 perform its own needs assessment, if it uses the methodology
353 established by the agency by rule.

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

359 1. Traffic circulation, including major thoroughfares and
360 other routes, including bicycle and pedestrian ways.

361 2. All alternative modes of travel, such as public
362 transportation, pedestrian, and bicycle travel.

363 3. Parking facilities.

364 4. Aviation, rail, seaport facilities, access to those
365 facilities, and intermodal terminals.

366 5. The availability of facilities and services to serve
367 existing land uses and the compatibility between future land use
368 and transportation elements.

369 6. The capability to evacuate the coastal population prior
370 to an impending natural disaster.

371 7. Airports, projected airport and aviation development,
372 and land use compatibility around airports.

373 8. An identification of land use densities, building
374 intensities, and transportation management programs to promote
375 public transportation systems in designated public transportation
376 corridors so as to encourage population densities sufficient to
377 support such systems.

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378 9. May include transportation corridors, as defined in s.
379 334.03, intended for future transportation facilities designated
380 pursuant to s. 337.273. If transportation corridors are
381 designated, the local government may adopt a transportation
382 corridor management ordinance.

383 10. The incorporation of transportation strategies to
384 address reduction in greenhouse gas emissions from the
385 transportation sector.

386 Section 3. Paragraph (e) of subsection (3) of section
387 489.105, Florida Statutes, is amended to read:

388 489.105 Definitions.--As used in this part:

389 (3) "Contractor" means the person who is qualified for, and
390 shall only be responsible for, the project contracted for and
391 means, except as exempted in this part, the person who, for
392 compensation, undertakes to, submits a bid to, or does himself or
393 herself or by others construct, repair, alter, remodel, add to,
394 demolish, subtract from, or improve any building or structure,
395 including related improvements to real estate, for others or for
396 resale to others; and whose job scope is substantially similar to
397 the job scope described in one of the subsequent paragraphs of
398 this subsection. For the purposes of regulation under this part,
399 "demolish" applies only to demolition of steel tanks over 50 feet
400 in height; towers over 50 feet in height; other structures over
401 50 feet in height, other than buildings or residences over three
402 stories tall; and buildings or residences over three stories
403 tall. Contractors are subdivided into two divisions, Division I,
404 consisting of those contractors defined in paragraphs (a)-(c),
405 and Division II, consisting of those contractors defined in
406 paragraphs (d)-(q):

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407 (e) "Roofing contractor" means a contractor whose services
408 are unlimited in the roofing trade and who has the experience,
409 knowledge, and skill to install, maintain, repair, alter, extend,
410 or design, when not prohibited by law, and use materials and
411 items used in the installation, maintenance, extension, and
412 alteration of all kinds of roofing, waterproofing, and coating,
413 except when coating is not represented to protect, repair,
414 waterproof, stop leaks, or extend the life of the roof. The scope
415 of work of a roofing contractor also includes required roof-deck
416 attachments and any repair or replacement of wood roof sheathing
417 or fascia as needed during roof repair or replacement.

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

420 553.36 Definitions.--The definitions contained in this
421 section govern the construction of this part unless the context
422 otherwise requires.

423 (13) "Manufactured building", "modular building," or
424 "factory-built building" means a closed structure, building
425 assembly, or system of subassemblies, which may include
426 structural, electrical, plumbing, heating, ventilating, or other
427 service systems manufactured in manufacturing facilities for
428 installation or erection as a finished building or as part of a
429 finished building, which shall include, but not be limited to,
430 residential, commercial, institutional, storage, and industrial
431 structures. The term includes buildings not intended for human
432 habitation such as lawn storage buildings and storage sheds
433 manufactured and assembled offsite by a manufacturer certified in
434 conformance with this part. This part does not apply to mobile
435 homes.

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436 Section 5. Section 553.37, Florida Statutes, is amended to
437 read:

438 553.37 Rules; inspections; and insignia.--

439 (1) The Florida Building Commission shall adopt within the
440 Florida Building Code requirements for construction or
441 modification of manufactured buildings and building modules, to
442 address:

443 (a) Submittal to and approval by the department of
444 manufacturers' drawings and specifications, including any
445 amendments.

446 (b) Submittal to and approval by the department of
447 manufacturers' internal quality control procedures and manuals,
448 including any amendments.

449 (c) Minimum inspection criteria. ~~Procedures and~~
450 ~~qualifications for approval of third-party plan review and~~
451 ~~inspection entities and of those who perform inspections and plan~~
452 ~~reviews.~~

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

454 (a) Procedures and qualifications for approval of third-
455 party plan review and inspection agencies and of those who
456 perform inspections and plan reviews.

457 (b) ~~(d)~~ Investigation of consumer complaints of
458 noncompliance of manufactured buildings with the Florida Building
459 Code and the Florida Fire Prevention Code.

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

463 (d) ~~(f)~~ Monitoring the manufacturers', inspection agencies'
464 entities', and plan review agencies' ~~entities'~~ compliance with

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465 this part and the Florida Building Code. Monitoring may include,
466 but is not limited to, performing audits of plans, inspections of
467 manufacturing facilities and observation of the manufacturing and
468 inspection process, and onsite inspections of buildings.

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

471 (3)~~(2)~~ After the effective date of the Florida Building
472 Code, no manufactured building, except as provided in subsection
473 (12) ~~(11)~~, may be installed in this state unless it is approved
474 and bears the insignia of approval of the department and a
475 manufacturer's data plate. Approvals issued by the department
476 under the provisions of the prior part shall be deemed to comply
477 with the requirements of this part.

478 (4)~~(3)~~ All manufactured buildings issued and bearing
479 insignia of approval pursuant to subsection (3) ~~(2)~~ shall be
480 deemed to comply with the Florida Building Code and are exempt
481 from local amendments enacted by any local government.

482 (5)~~(4)~~ No manufactured building bearing department insignia
483 of approval pursuant to subsection (3) ~~(2)~~ shall be in any way
484 modified prior to installation, except in conformance with the
485 Florida Building Code.

486 (6)~~(5)~~ Manufactured buildings which have been issued and
487 bear the insignia of approval pursuant to this part upon
488 manufacture or first sale shall not require an additional
489 approval or insignia by a local government in which they are
490 subsequently sold or installed. Buildings or structures that meet
491 the definition of "open construction" are subject to permitting
492 by the local jurisdiction and are not required to bear insignia.

493 (7)~~(6)~~ If the department ~~Florida Building Commission~~

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494 determines that the standards for construction and inspection of
495 manufactured buildings prescribed by statute or rule of another
496 state are at least equal to the Florida Building Code and that
497 such standards are actually enforced by such other state, it may
498 provide by rule that the manufactured building which has been
499 inspected and approved by such other state shall be deemed to
500 have been approved by the department and shall authorize the
501 affixing of the appropriate insignia of approval.

502 ~~(8)-(7)~~ The department ~~Florida Building Commission~~, by rule,
503 shall establish a schedule of fees to pay the cost of incurred by
504 ~~the department for the work related to~~ administration and
505 enforcement of this part.

506 ~~(9)-(8)~~ The department may delegate its enforcement
507 authority to a state department having building construction
508 responsibilities or a local government. The department may
509 delegate its plan review and inspection authority to one or more
510 of the following in any combination:

511 (a) A state department having building construction
512 responsibilities;;

513 (b) A local government;;

514 (c) An approved inspection agency;;

515 (d) An approved plan review agency;; or

516 (e) An agency of another state.

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

521 (10) The department shall develop an insignia to be affixed
522 to all newly constructed buildings by the manufacturer or the

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523 inspection agency prior to the building leaving the plant. The
524 department may charge a fee for issuing such insignias. Such
525 insignias shall bear the department's name, the state seal, an
526 identification number unique to that insignia, and such other
527 information as the department may require by rule. ~~If the~~
528 ~~commission delegates its inspection authority to third party~~
529 ~~approved plan review agencies, manufacturers must have one, and~~
530 ~~only one, plan review agency responsible for review of plans of a~~
531 ~~manufactured building, module, or component at all times.~~

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

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

541 553.381 Manufacturer certification.--

542 (1) Before manufacturing buildings to be located within
543 this state or selling manufactured buildings within this state,
544 whichever occurs later, a manufacturer must be certified by the
545 department. The department shall certify a manufacturer upon
546 receipt from the manufacturer and approval and verification by
547 the department of the following:

548 (a) The manufacturer's internal quality control procedures
549 and manuals, including any amendments;

550 (b) Evidence that the manufacturer has product liability
551 insurance for the safety and welfare of the public in amounts

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552 determined by rule of the department ~~commission~~; and

553 (c) The fee established by the department ~~commission~~ under
554 s. 553.37(8) ~~s. 553.37(7)~~.

555 (3) Certification of manufacturers under this section shall
556 be for a period of 3 years, subject to renewal by the
557 manufacturer. Upon application for renewal, the manufacturer must
558 submit the information described in subsection (1) or a sworn
559 statement that there has been no change in the status or content
560 of that information since the manufacturer's last submittal. Fees
561 for renewal of manufacturers' certification shall be established
562 by the department ~~commission~~ by rule.

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

565 553.415 Factory-built school buildings.--

566 (11) The department shall require that an insignia bearing
567 the department's name and state seal and a manufacturer's data
568 plate ~~develop a unique identification label to~~ be affixed to all
569 newly constructed factory-built school buildings and existing
570 factory-built school buildings which have been brought into
571 compliance with the standards for existing "satisfactory"
572 buildings pursuant to chapter 5 of the Uniform Code for Public
573 Educational Facilities, and after March 1, 2002, the Florida
574 Building Code. The department may charge a fee for issuing such
575 insignias ~~labels~~. The manufacturer's data plate ~~Such labels,~~
576 ~~bearing the department's name and state seal,~~ shall, at a
577 minimum, contain:

578 (a) The name of the manufacturer.

579 (b) The standard plan approval number or alteration number.

580 (c) The date of manufacture or alteration.

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581 (d) The serial or other identification number.

582 (e) The following designed-for loads: lbs. per square foot
583 live load; lbs. per square foot floor live load; lbs. per square
584 foot horizontal wind load; and lbs. per square foot wind uplift
585 load.

586 (f) The designed-for flood zone usage.

587 (g) The designed-for wind zone usage.

588 (h) The designed-for enhanced hurricane protection zone
589 usage: yes or no.

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

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

597 553.71 Definitions.--As used in this part, the term:

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

601 Section 9. Paragraph (a) of subsection (6) and subsection
602 (7) of section 553.73, Florida Statutes, are amended, and
603 subsection (13) is added to that section, to read:

604 553.73 Florida Building Code.--

605 (6) (a) The commission, by rule adopted pursuant to ss.
606 120.536(1) and 120.54, shall update the Florida Building Code
607 every 3 years. When updating the Florida Building Code, the
608 commission shall select the most current version of the
609 International Building Code, the International Fuel Gas Code, the

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610 International Mechanical Code, the International Plumbing Code,
611 and the International Residential Code, all of which are adopted
612 by the International Code Council, and the National Electrical
613 Code, which is adopted by the National Fire Protection
614 Association, to form the foundation codes of the updated Florida
615 Building Code, if the version has been adopted by the applicable
616 model code entity and made available to the public at least 6
617 months prior to its selection by the commission. The commission
618 shall select the most current version of the International Energy
619 Conservation Code as a foundation code if the code is modified by
620 the commission to maintain the compliance methods and policies,
621 without diminishing the building component efficiencies, of the
622 Florida Energy Efficiency Code for Building Construction adopted
623 and amended pursuant to s. 553.901.

624 (7) Notwithstanding the provisions of subsection (3) or
625 subsection (6), the commission may address issues identified in
626 this subsection by amending the code pursuant only to the rule
627 adoption procedures contained in chapter 120. Provisions of the
628 Florida Building Code, including those contained in referenced
629 standards and criteria, relating to wind resistance or the
630 prevention of water intrusion may not be amended pursuant to this
631 subsection to diminish those construction requirements; however,
632 the commission may, subject to conditions in this subsection,
633 amend the provisions to enhance those construction requirements.
634 Following the approval of any amendments to the Florida Building
635 Code by the commission and publication of the amendments on the
636 commission's website, authorities having jurisdiction to enforce
637 the Florida Building Code may enforce the amendments. The
638 commission may approve amendments that are needed to address:

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- 639 (a) Conflicts within the updated code;
- 640 (b) Conflicts between the updated code and the Florida Fire
641 Prevention Code adopted pursuant to chapter 633;
- 642 (c) The omission of previously adopted Florida-specific
643 amendments to the updated code if such omission is not supported
644 by a specific recommendation of a technical advisory committee or
645 particular action by the commission;
- 646 (d) Unintended results from the integration of previously
647 adopted Florida-specific amendments with the model code; ~~or~~
- 648 (e) Changes to federal or state law; ~~or~~
- 649 (f) Adoption of an updated edition of the National
650 Electrical Code if the commission finds that delay of
651 implementing the updated edition causes undue hardship to
652 stakeholders or otherwise threatens the public health, safety,
653 and welfare.
- 654 (13) The general provisions of the Florida Building Code
655 for buildings and other structures shall not apply to commercial
656 wireless communication towers when such general provisions are
657 inconsistent with the provisions of the code controlling radio
658 and television towers. This subsection is intended to be remedial
659 in nature and to clarify existing law.
- 660 Section 10. Subsections (1) and (2) of section 553.74,
661 Florida Statutes, are amended to read:
- 662 553.74 Florida Building Commission.--
- 663 (1) The Florida Building Commission is created and shall be
664 located within the Department of Community Affairs for
665 administrative purposes. Members shall be appointed by the
666 Governor subject to confirmation by the Senate. The commission
667 shall be composed of 25 ~~23~~ members, consisting of the following:

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668 (a) One architect registered to practice in this state and
669 actively engaged in the profession. The American Institute of
670 Architects, Florida Section, is encouraged to recommend a list of
671 candidates for consideration.

672 (b) One structural engineer registered to practice in this
673 state and actively engaged in the profession. The Florida
674 Engineering Society is encouraged to recommend a list of
675 candidates for consideration.

676 (c) One air-conditioning or mechanical contractor certified
677 to do business in this state and actively engaged in the
678 profession. The Florida Air Conditioning Contractors Association,
679 the Florida Refrigeration and Air Conditioning Contractors
680 Association, and the Mechanical Contractors Association of
681 Florida are encouraged to recommend a list of candidates for
682 consideration.

683 (d) One electrical contractor certified to do business in
684 this state and actively engaged in the profession. The Florida
685 Electrical Contractors Association and the National Electrical
686 Contractors Association, Florida Chapter, are encouraged to
687 recommend a list of candidates for consideration.

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

693 (f) One general contractor certified to do business in this
694 state and actively engaged in the profession. The Associated
695 Builders and Contractors of Florida, the Florida Associated
696 General Contractors Council, and the Union Contractors

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697 Association are encouraged to recommend a list of candidates for
698 consideration.

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

703 (h) One roofing or sheet metal contractor certified to do
704 business in this state and actively engaged in the profession.
705 The Florida Roofing, Sheet Metal, and Air Conditioning
706 Contractors Association and the Sheet Metal and Air Conditioning
707 Contractors National Association are encouraged to recommend a
708 list of candidates for consideration.

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

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

718 (k) One member who represents the Department of Financial
719 Services.

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

723 (m) One member of a Florida-based organization of persons
724 with disabilities or a nationally chartered organization of
725 persons with disabilities with chapters in this state.

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726 (n) One member of the manufactured buildings industry who
727 is licensed to do business in this state and is actively engaged
728 in the industry. The Florida Manufactured Housing Association is
729 encouraged to recommend a list of candidates for consideration.

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

734 (p) One member who is a representative of a municipality or
735 a charter county. The Florida League of Cities and the Florida
736 Association of Counties are encouraged to recommend a list of
737 candidates for consideration.

738 (q) One member of the building products manufacturing
739 industry who is authorized to do business in this state and is
740 actively engaged in the industry. The Florida Building Material
741 Association, the Florida Concrete and Products Association, and
742 the Fenestration Manufacturers Association are encouraged to
743 recommend a list of candidates for consideration.

744 (r) One member who is a representative of the building
745 owners and managers industry who is actively engaged in
746 commercial building ownership or management. The Building Owners
747 and Managers Association is encouraged to recommend a list of
748 candidates for consideration.

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

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

753 (u) One member who is a swimming pool contractor licensed
754 to do business in this state and actively engaged in the

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755 profession. The Florida Swimming Pool Association and the United
756 Pool and Spa Association are encouraged to recommend a list of
757 candidates for consideration ~~shall be the chair.~~

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

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

763
764 Any person serving on the commission under paragraph (c) or
765 paragraph (h) on October 1, 2003, and who has served less than
766 two full terms is eligible for reappointment to the commission
767 regardless of whether he or she meets the new qualification.

768 (2) All appointments shall be for terms of 4 years, ~~except~~
769 ~~that of the chair who shall serve at the pleasure of the~~
770 ~~Governor.~~ Each person who is a member of the Board of Building
771 Codes and Standards on the effective date of this act shall serve
772 the remainder of their term as a member of the Florida Building
773 Commission. ~~Except for the chair, newly created positions on the~~
774 ~~Florida Building Commission shall be appointed after February 1,~~
775 ~~1999. A vacancy shall be filled for the remainder of the~~
776 ~~unexpired term.~~ Any member who shall, during his or her term,
777 cease to meet the qualifications for original appointment,
778 through ceasing to be a practicing member of the profession
779 indicated or otherwise, shall thereby forfeit membership on the
780 commission.

781 Section 11. Section 553.75, Florida Statutes, is amended to
782 read:

783 553.75 Organization of commission; rules and regulations;

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784 meetings; staff; fiscal affairs; public comment.--

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

788 (2) The commission shall meet at the call of its chair, at
789 the request of a majority of its membership, at the request of
790 the department, or at such times as may be prescribed by its
791 rules. The members shall be notified in writing of the time and
792 place of a regular or special meeting at least 7 days in advance
793 of the meeting. A majority of members of the commission shall
794 constitute a quorum.

795 (3) The department shall be responsible for the provision
796 of administrative and staff support services relating to the
797 functions of the commission. With respect to matters within the
798 jurisdiction of the commission, the department shall be
799 responsible for the implementation and faithful discharge of all
800 decisions of the commission made pursuant to its authority under
801 the provisions of this part. The department is specifically
802 authorized to use communications media technology in conducting
803 meetings of the commission or any meetings held in conjunction
804 with meetings of the commission.

805 (4) Meetings of the commission shall be conducted so as to
806 encourage participation by interested persons in attendance. At a
807 minimum, the commission shall provide one opportunity for
808 interested members of the public in attendance at a meeting to
809 comment on each proposed action of the commission before a final
810 vote is taken on any motion.

811 Section 12. Present subsection (5) of section 553.77,
812 Florida Statutes, is renumbered as subsection (6), and a new

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813 subsection (5) is added to that section, to read:

814 553.77 Specific powers of the commission.--

815 (5) The commission may implement its recommendations
816 delivered pursuant to subsection (2) of section 48 of chapter
817 2007-73, Laws of Florida, by amending the Florida Energy
818 Efficiency Code for Building Construction as provided in s.
819 553.901.

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

822 553.775 Interpretations.--

823 (5) The commission may render declaratory statements in
824 accordance with s. 120.565 relating to the provisions of the
825 Florida Accessibility Code for Building Construction not
826 attributable to the Americans with Disabilities Act Accessibility
827 Guidelines. Notwithstanding the other provisions of this section,
828 the Florida Accessibility Code for Building Construction and
829 chapter 11 of the Florida Building Code may not be interpreted
830 by, and are not subject to review under, any of the procedures
831 specified in this section. This subsection has no effect upon the
832 commission's authority to waive the Florida Accessibility Code
833 for Building Construction as provided by s. 553.512.

834 Section 14. Paragraph (g) is added to subsection (1) of
835 section 553.80, Florida Statutes, to read:

836 553.80 Enforcement.--

837 (1) Except as provided in paragraphs (a)-(g) ~~(a)-(f)~~, each
838 local government and each legally constituted enforcement
839 district with statutory authority shall regulate building
840 construction and, where authorized in the state agency's enabling
841 legislation, each state agency shall enforce the Florida Building

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842 Code required by this part on all public or private buildings,
843 structures, and facilities, unless such responsibility has been
844 delegated to another unit of government pursuant to s. 553.79(9).

845 (g) Construction regulations relating to secure mental
846 health treatment facilities under the jurisdiction of the
847 Department of Children and Family Services shall be enforced
848 exclusively by the department in conjunction with the Agency for
849 Health Care Administration's review authority under paragraph
850 (c).

851
852 The governing bodies of local governments may provide a schedule
853 of fees, as authorized by s. 125.56(2) or s. 166.222 and this
854 section, for the enforcement of the provisions of this part. Such
855 fees shall be used solely for carrying out the local government's
856 responsibilities in enforcing the Florida Building Code. The
857 authority of state enforcing agencies to set fees for enforcement
858 shall be derived from authority existing on July 1, 1998.
859 However, nothing contained in this subsection shall operate to
860 limit such agencies from adjusting their fee schedule in
861 conformance with existing authority.

862 Section 15. Subsection (17) is added to section 553.842,
863 Florida Statutes, to read:

864 553.842 Product evaluation and approval.--

865 (17) (a) The Florida Building Commission shall review the
866 list of evaluation entities in subsection (8) and, in the annual
867 report required under s. 553.77, shall either recommend
868 amendments to the list to add evaluation entities the commission
869 determines should be authorized to perform product evaluations or
870 shall report on the criteria adopted by rule or to be adopted by

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871 rule allowing the commission to approve evaluation entities that
872 use the commission's product evaluation process. If the
873 commission adopts criteria by rule, the rulemaking process must
874 be completed by July 1, 2009.

875 (b) Notwithstanding paragraph (8)(a), the International
876 Association of Plumbing and Mechanical Officials Evaluation
877 Services is approved as an evaluation entity until October 1,
878 2009. If the association does not obtain permanent approval by
879 the commission as an evaluation entity by October 1, 2009,
880 products approved on the basis of an association evaluation must
881 be substituted by an alternative, approved entity by December 31,
882 2009, and on January 1, 2010, any product approval issued by the
883 commission based on an association evaluation is void.

884 Section 16. Paragraph (b) of subsection (2) of section
885 553.844, Florida Statutes, is amended to read:

886 553.844 Windstorm loss mitigation; requirements for roofs
887 and opening protection.--

888 (2) The Florida Building Commission shall:

889 (b) Develop and adopt within the Florida Building Code a
890 means to incorporate recognized mitigation techniques for site-
891 built, single-family residential structures constructed before
892 ~~prior to~~ the implementation of the Florida Building Code,
893 including, but not limited to:

894 1. Prescriptive techniques for the installation of gable-
895 end bracing;

896 2. Secondary water barriers for roofs and standards
897 relating to secondary water barriers. The criteria may include,
898 but need not be limited to, roof shape, slope, and composition of
899 all elements of the roof system. The criteria may not be limited

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900 to one method or material for a secondary water barrier;

901 3. Prescriptive techniques for improvement of roof-to-wall
902 connections. The Legislature recognizes that the cost of
903 retrofitting existing buildings to meet the code requirements for
904 new construction in this regard may exceed the practical benefit
905 to be attained. The Legislature intends for the commission to
906 provide for the integration of alternate, lower-cost means that
907 may be employed to retrofit existing buildings that are not
908 otherwise required to comply with the requirements of the Florida
909 Building Code for new construction so that the cost of such
910 improvements does not exceed approximately 15 percent of the cost
911 of reroofing. Roof-to-wall connections shall not be required
912 unless evaluation and installation of connections at gable ends
913 or all corners can be completed for 15 percent of the cost of
914 roof replacement. For houses that have both hip and gable roof
915 ends, the priority shall be to retrofit the gable end roof-to-
916 wall connections unless the width of the hip is more than 1.5
917 times greater than the width of the gable end. Priority shall be
918 given to connecting the corners of roofs to walls below the
919 locations at which the spans of the roofing members are greatest;

920 4. Strengthening or correcting roof-decking attachments and
921 fasteners during reroofing; and

922 5. Adding or strengthening opening protections.

923 Section 17. Subsection (1) of section 553.885, Florida
924 Statutes, is amended to read:

925 553.885 Carbon monoxide alarm required.--

926 (1) Every building, other than a hospital, an inpatient
927 hospice facility, or a nursing home facility licensed by the
928 Agency for Health Care Administration, for which a building

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929 permit is issued for new construction on or after July 1, 2008,
930 and having a fossil-fuel-burning heater or appliance, a
931 fireplace, or an attached garage shall have an approved
932 operational carbon monoxide alarm installed within 10 feet of
933 each room used for sleeping purposes. For a new hospital, an
934 inpatient hospice facility, or a nursing home facility licensed
935 by the Agency for Health Care Administration, an approved
936 operational carbon monoxide detector shall be installed inside or
937 directly outside of each room or area within the hospital or
938 facility were a fossil-fuel burning heater, engine, or appliance
939 is located. This detector shall be connected to the fire-alarm
940 system of the hospital or facility as a supervisory signal.

941 Section 18. Section 553.886, Florida Statutes, is created
942 to read:

943 553.886 Energy-efficiency technologies.--The provisions of
944 the Florida Building Code must facilitate and promote the use of
945 cost-effective energy conservation, energy-demand management, and
946 renewable energy technologies in buildings.

947 Section 19. Section 553.901, Florida Statutes, is amended
948 to read:

949 553.901 Purpose of thermal efficiency code.--The Department
950 of Community Affairs shall prepare a thermal efficiency code to
951 provide for a statewide uniform standard for energy efficiency in
952 the thermal design and operation of all buildings statewide,
953 consistent with energy conservation goals, and to best provide
954 for public safety, health, and general welfare. The Florida
955 Building Commission shall adopt the Florida Energy Efficiency
956 Code for Building Construction within the Florida Building Code,
957 and shall modify, revise, update, and maintain the code to

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958 implement the provisions of this thermal efficiency code and
959 amendments thereto, in accordance with the procedures of chapter
960 120. The department shall, at least triennially, determine the
961 most cost-effective energy-saving equipment and techniques
962 available and report its determinations to the commission, which
963 shall update the code to incorporate such equipment and
964 techniques. The proposed changes shall be made available for
965 public review and comment no later than 6 months prior to code
966 implementation. Before initiating rulemaking for amendments to
967 the Florida Energy Efficiency Code for Building Construction, the
968 commission shall adopt by rule a definition of the term "cost-
969 effective," for the purposes of this part, which shall include
970 the criteria and measures to be used by the commission to
971 evaluate proposed amendments ~~shall be construed to mean cost-~~
972 ~~effective to the consumer.~~

973 Section 20. Section 553.9061, Florida Statutes, is created
974 to read:

975 553.9061 Scheduled increases in thermal efficiency
976 standards.--

977 (1) This section establishes a schedule of required
978 increases in the energy-efficiency performance of buildings that
979 are subject to the requirements for energy efficiency as
980 contained in the current edition of the Florida Building Code.
981 The Florida Building Commission shall implement the following
982 energy-efficiency goals using the triennial code-adoption process
983 established for updates to the Florida Building Code in s.

984 553.73:

985 (a) Include requirements in the 2010 edition of the Florida
986 Building Code to increase the energy-efficiency performance of

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987 new buildings by at least 20 percent as compared to the
988 performance achieved as a result of the implementation of the
989 energy-efficiency provisions contained in the 2004 edition of the
990 Florida Building Code, as adopted on May 22, 2007;

991 (b) Include requirements in the 2013 edition of the Florida
992 Building Code to increase the energy-efficiency performance of
993 new buildings by at least 30 percent as compared to the
994 performance achieved as a result of the implementation of the
995 energy-efficiency provisions contained in the 2004 edition of the
996 Florida Building Code, as adopted on May 22, 2007;

997 (c) Include requirements in the 2016 edition of the Florida
998 Building Code to increase the energy-efficiency performance of
999 new buildings by at least 40 percent as compared to the
1000 performance achieved as a result of the implementation of the
1001 energy-efficiency provisions contained in the 2004 edition of the
1002 Florida Building Code, as adopted on May 22, 2007; and

1003 (d) Include requirements in the 2019 edition of the Florida
1004 Building Code to increase the energy-efficiency performance of
1005 new buildings by at least 50 percent as compared to the
1006 performance achieved as a result of the implementation of the
1007 energy-efficiency provisions contained in the 2004 edition of the
1008 Florida Building Code, as adopted on May 22, 2007.

1009 (2) The commission shall identify in any code-support and
1010 compliance documentation the specific building options and
1011 elements available to meet the energy-efficiency performance
1012 requirements under subsection (1). Energy-efficiency performance
1013 options and elements include, but are not limited to:

1014 (a) Solar water heating;

1015 (b) Energy-efficient appliances;

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- 1016 (c) Energy-efficient windows, doors, and skylights;
1017 (d) Low solar-absorption roofs, also known as "cool roofs";
1018 (e) Enhanced ceiling and wall insulation;
1019 (f) Reduced-leak duct systems;
1020 (g) Programmable thermostats; and
1021 (h) Energy-efficient lighting systems.

1022 (3) The Florida Energy Commission shall review the energy-
1023 efficiency goals established in subsection (1) at least once
1024 every 3 years, and such review must be completed before the
1025 triennial code-adoption process established in s. 553.73.

1026 Section 21. (1) The Florida Building Commission shall
1027 conduct a study to evaluate the energy-efficiency rating of new
1028 buildings and appliances. The study must include a review of the
1029 current energy-efficiency ratings and consumer labeling
1030 requirements specified in chapter 553, Florida Statutes. The
1031 commission shall submit a written report of its study to the
1032 President of the Senate and the Speaker of the House of
1033 Representatives on or before February 1, 2009. The report must
1034 contain the commission's recommendations regarding the
1035 strengthening and integration of energy-efficiency ratings and
1036 labeling requirements.

1037 (2) The provisions of this section expire July 1, 2009.

1038 Section 22. (1) The Florida Building Commission shall
1039 conduct a study to evaluate opportunities to restructure the
1040 Florida Energy Efficiency Code for Building Construction to
1041 achieve long-range improvements to building energy performance.
1042 During such study, the commission shall address the integration
1043 of the Thermal Efficiency Code established in part V of chapter
1044 553, Florida Statutes, the Energy Conservation Standards Act

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1045 established in part VI of chapter 553, Florida Statutes, and the
1046 Florida Building Energy-Efficiency Rating Act established in part
1047 VIII of chapter 553, Florida Statutes.

1048 (2) The commission shall submit a report containing
1049 specific recommendations on the integration of the code and acts
1050 identified in subsection (1) to the President of the Senate and
1051 the Speaker of the House of Representatives on or before February
1052 1, 2009.

1053 (3) The provisions of this section expire July 1, 2009.

1054 Section 23. (1) The Department of Community Affairs, in
1055 conjunction with the Florida Energy Affordability Coalition,
1056 shall identify and review issues relating to the Low-Income Home
1057 Energy Assistance Program and the Weatherization Assistance
1058 Program, and identify recommendations that:

1059 (a) Support customer health, safety, and well-being;

1060 (b) Maximize available financial and energy-conservation
1061 assistance;

1062 (c) Improve the quality of service to customers seeking
1063 assistance; and

1064 (d) Educate customers to make informed decisions regarding
1065 energy use and conservation.

1066 (2) On or before January 1, 2009, the department shall
1067 report its findings and any recommended statutory changes
1068 required to implement such findings to the President of the
1069 Senate and the Speaker of the House of Representatives.

1070 (3) The provisions of this section expire July 1, 2009.

1071 Section 24. Section 553.731, Florida Statutes, is repealed.

1072 Section 25. The repeal of s. 553.731, Florida Statutes, by
1073 this act, does not diminish or authorize changes that diminish

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1074 the provisions of the Florida Building Code relating to wind
1075 resistance or water intrusion which were adopted pursuant to
1076 chapter 2007-1, Laws of Florida.

1077 Section 26. Subparagraph 6. of paragraph (a) of subsection
1078 (6) of s. 627.351, Florida Statutes, is repealed.

1079 Section 27. Subsection (6) is added to section 718.113,
1080 Florida Statutes, to read:

1081 718.113 Maintenance; limitation upon improvement; display
1082 of flag; hurricane shutters.--

1083 (6) Notwithstanding the provisions of this section or the
1084 governing documents of a condominium or a multicondominium
1085 association, the board of administration may, without any
1086 requirement for approval of the unit owners, install upon or
1087 within the common elements or association property solar
1088 collectors, clotheslines, or other energy-efficient devices based
1089 on renewable resources for the benefit of the unit owners.

1090 Section 28. The Florida Building Commission shall submit
1091 the text of the rule required by section 19 of this act to the
1092 Legislature in its report to the 2009-2010 Legislature, and shall
1093 provide an effective date for the rule by July 1, 2009.

1094 Section 29. This act shall take effect July 1, 2008.