

Regulatory Reform Subcommittee

Wednesday, December 2, 2021
11:00 AM - 12:30 PM
Webster Hall (212 Knott)

Action Packet

Chris Sprowls
Speaker

Bob Rommel
Chair

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

Summary:

Regulatory Reform Subcommittee

Thursday December 02, 2021 11:00 am

HB 33	Favorable	Yeas: 13	Nays: 0
HB 87	Favorable	Yeas: 13	Nays: 0
HB 267	Favorable	Yeas: 13	Nays: 0
HB 423	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 551429 Adopted Without Objection		
HB 6031	Favorable	Yeas: 13	Nays: 0

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

Attendance:

	Present	*Absent*	*Excused*
Bob Rommel (Chair)	X		
Mike Beltran	X		
Dan Daley	X		
Anna Eskamani	X		
Mike Giallombardo	X		
Joy Goff-Marcil			X
Tommy Gregory	X		
Michael Grieco	X		
Joe Harding			X
Randall Maggard	X		
Amber Mariano	X		
Fiona McFarland	X		
Angela Nixon	X		
Anika Omphroy			X
Tobin Overdorf	X		
Scott Plakon	X		
William Robinson			X
Jackie Toledo	X		
Totals:	**14**	**0**	**4**

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

HB 33 : Electronic Dissemination of Commercial Recordings and Audiovisual Works

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Mike Beltran	X				
Dan Daley	X				
Anna Eskamani	X				
Mike Giallombardo	X				
Joy Goff-Marcil			X		
Tommy Gregory	X				
Michael Grieco			X		
Joe Harding			X		
Randall Maggard	X				
Amber Mariano	X				
Fiona McFarland	X				
Angela Nixon	X				
Anika Omphroy			X		
Tobin Overdorf	X				
Scott Plakon	X				
William Robinson				X	
Jackie Toledo	X				
Bob Rommel (Chair)	X				
	Total Yeas: 13	**Total Nays: 0**			

Appearances:

Electronic Dissemination of Commercial Recordings and Audiovisual Works
Castro, Edgar (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Recording Industry Association of America (RIAA)
Po Box 10570
Tallahassee FL
Phone: (850) 671-4401

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

HB 87 : Criminal History in Professional Licensing Applications

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Mike Beltran	X				
Dan Daley	X				
Anna Eskamani	X				
Mike Giallombardo	X				
Joy Goff-Marcil			X		
Tommy Gregory	X				
Michael Grieco			X		
Joe Harding			X		
Randall Maggard	X				
Amber Mariano	X				
Fiona McFarland	X				
Angela Nixon	X				
Anika Omphroy			X		
Tobin Overdorf	X				
Scott Plakon	X				
William Robinson				X	
Jackie Toledo	X				
Bob Rommel (Chair)	X				
	Total Yeas: 13	**Total Nays: 0**			

Appearances:

Criminal History in Professional Licensing Applications
Suderman, Phillip (Lobbyist) - Waive In Support
Americans for Prosperity
Policy Director

Criminal History in Professional Licensing Applications
Camara, Christian (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Institute for Justice
PO Box 122
Tallahassee FL
Phone: (305) 608-4300

Criminal History in Professional Licensing Applications
Nuzzo , Sal (General Public) - Waive In Support
The James Madison Institute
Vice President of Policy
100 N Duval Street
Tallahassee FL 32301
Phone: 8503863131

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

Location: Webster Hall (212 Knott)

HB 87 : Criminal History in Professional Licensing Applications (continued)

Appearances: (continued)

Criminal History in Professional Licensing Applications
Boyd, Carrie (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
SPLC Action Fund
Policy Director
Po Box 10788
Tallahassee FL
Phone: (850) 521-3000

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

HB 267 : Swimming Pool Specialty Contracting Services

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Mike Beltran	X				
Dan Daley	X				
Anna Eskamani	X				
Mike Giallombardo	X				
Joy Goff-Marcil			X		
Tommy Gregory	X				
Michael Grieco			X		
Joe Harding			X		
Randall Maggard	X				
Amber Mariano	X				
Fiona McFarland	X				
Angela Nixon	X				
Anika Omphroy			X		
Tobin Overdorf	X				
Scott Plakon	X				
William Robinson				X	
Jackie Toledo	X				
Bob Rommel (Chair)	X				
	Total Yeas: 13	**Total Nays: 0**			

Appearances:

Swimming Pool Specialty Contracting Services
Suderman, Phillip (General Public) - Waive In Support
Americans for Prosperity
Policy Director

Swimming Pool Specialty Contracting Services
Camara, Christian (Lobbyist) - Waive In Support
Institute for Justice
PO Box 122
Tallahassee FL 32302
Phone: 3056084300

Swimming Pool Specialty Contracting Services
Thiesen, Dallas (Lobbyist) - Waive In Support
Florida Swimming Pool Association
Government Affairs Manager
2555 Porter Lake Drive
Sarasota FL 34240
Phone: 9419529293

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

HB 423 : Building Inspection Services

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Mike Beltran	X				
Dan Daley	X				
Anna Eskamani	X				
Mike Giallombardo	X				
Joy Goff-Marcil			X		
Tommy Gregory	X				
Michael Grieco			X		
Joe Harding			X		
Randall Maggard	X				
Amber Mariano	X				
Fiona McFarland	X				
Angela Nixon	X				
Anika Omphroy			X		
Tobin Overdorf	X				
Scott Plakon	X				
William Robinson				X	
Jackie Toledo	X				
Bob Rommel (Chair)	X				
	Total Yeas: 13	**Total Nays: 0**			

HB 423 Amendments

Amendment 551429

[X] *Adopted Without Objection*

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

COMMITTEE MEETING REPORT

Regulatory Reform Subcommittee

12/2/2021 11:00AM

Location: Webster Hall (212 Knott)

HB 6031 : Individual Wine Containers

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Mike Beltran	X				
Dan Daley	X				
Anna Eskamani	X				
Mike Giallombardo	X				
Joy Goff-Marcil			X		
Tommy Gregory	X				
Michael Grieco			X		
Joe Harding			X		
Randall Maggard	X				
Amber Mariano	X				
Fiona McFarland	X				
Angela Nixon	X				
Anika Omphroy			X		
Tobin Overdorf	X				
Scott Plakon	X				
William Robinson				X	
Jackie Toledo	X				
Bob Rommel (Chair)	X				
	Total Yeas: 13	**Total Nays: 0**			

Appearances:

Individual Wine Containers
Suderman, Phillip (Lobbyist) - Waive In Support
Americans for Prosperity
Policy Director

Individual Wine Containers
Camara, Christian (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Institute for Justice
PO Box 122
Tallahassee FL
Phone: (305) 608-4300

Individual Wine Containers
Unger, Jason (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Seavin, Inc
GrayRobinson PA 301 S Bronough St Ste 600
Tallahassee FL
Phone: (850) 577-9090

Committee meeting was reported out: Thursday, December 02, 2021 4:35PM

Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	✓ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	___

Committee/Subcommittee hearing bill: Regulatory Reform Subcommittee

Representative LaMarca offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (9) is added to section 468.603, Florida Statutes, to read:

468.603 Definitions.—As used in this part:

(9) "Private provider" has the same meaning as in s. 553.791(1)(n).

Section 2. Paragraph (c) of subsection (2), paragraphs (c) and (d) of subsection (7), and paragraph (b) of subsection (10) of section 468.609, Florida Statutes, are amended to read:

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

(2) A person may take the examination for certification as a building code inspector or plans examiner pursuant to this part if the person:

(c) Meets eligibility requirements according to one of the following criteria:

1. Demonstrates 4 years' combined experience in the field of construction or a related field, building code inspection, or plans review corresponding to the certification category sought;

2. Demonstrates a combination of postsecondary education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

3. Demonstrates a combination of technical education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

4. Currently holds a standard certificate issued by the board or a firesafety inspector license issued under ~~pursuant to~~ chapter 633, with a minimum of 3 years' verifiable full-time experience in firesafety inspection or firesafety plan review, and has satisfactorily completed a building code inspector or plans examiner training program that provides at least 100 hours but not more than 200 hours of cross-training in the

certification category sought. The board shall establish by rule criteria for the development and implementation of the training programs. The board must ~~shall~~ accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

5. Demonstrates a combination of the completion of an approved training program in the field of building code inspection or plan review and a minimum of 2 years' experience in the field of building code inspection, plan review, fire code inspections and fire plans review of new buildings as a firesafety inspector certified under s. 633.216, or construction. The approved training portion of this requirement must ~~shall~~ include proof of satisfactory completion of a training program that provides at least 200 hours but not more than 300 hours of cross-training that is approved by the board in the chosen category of building code inspection or plan review in the certification category sought with at least 20 hours but not more than 30 hours of instruction in state laws, rules, and ethics relating to professional standards of practice, duties, and responsibilities of a certificateholder. The board shall coordinate with the Building Officials Association of Florida, Inc., to establish by rule the development and implementation of the training program. However, the board must ~~shall~~ accept all classroom training offered by an

approved provider if the content substantially meets the intent of the classroom component of the training program;

6. Currently holds a standard certificate issued by the board or a firesafety inspector license issued under ~~pursuant to~~ chapter 633 and:

a. Has at least 4 years' verifiable full-time experience as an inspector or plans examiner in a standard certification category currently held or has a minimum of 4 years' verifiable full-time experience as a firesafety inspector licensed under ~~pursuant to~~ chapter 633.

b. Has satisfactorily completed a building code inspector or plans examiner classroom training course or program that provides at least 200 but not more than 300 hours in the certification category sought, except for residential ~~one-family and two-family dwelling~~ training programs, which must provide at least 500 but not more than 800 hours of training as prescribed by the board. The board shall establish by rule criteria for the development and implementation of classroom training courses and programs in each certification category; or

7.a. Has completed a 4-year internship certification program as a building code inspector or plans examiner while employed full-time by a municipality, county, or other governmental jurisdiction, under the direct supervision of a certified building official. A person may also complete the internship certification program while employed full-time by a

92 private provider or a private provider's firm that performs the
93 services of a building code inspector or plans examiner, while
94 under the direct supervision of the private provider who must be
95 a certified building official or a person licensed as an
96 engineer under chapter 471 or an architect under chapter 481.
97 Proof of graduation with a related vocational degree or college
98 degree or of verifiable work experience may be exchanged for the
99 internship experience requirement year-for-year, but may reduce
100 the requirement to no less than 1 year.
101 b. Has passed an examination administered by the
102 International Code Council in the certification category sought.
103 Such examination must be passed before beginning the internship
104 certification program.
105 c. Has passed the principles and practice examination
106 before completing the internship certification program.
107 d. Has passed a board-approved 40-hour code training
108 course in the certification category sought before completing
109 the internship certification program.
110 e. Has obtained a favorable recommendation from the
111 supervising building official, engineer, or architect after
112 completion of the internship certification program.
113 (7)
114 (c) The board shall provide for appropriate levels of
115 provisional certificates and may issue these certificates with
116 such special conditions or requirements ~~relating to the place of~~

~~employment of the person holding the certificate, the supervision of such person on a consulting or advisory basis, or other matters~~ as the board deems ~~may deem~~ necessary to protect the public safety and health. The board may not place a special condition or requirement on a provisional certificate with respect to the requirement of employment by a municipality, county, or other local government agency.

(d) A person may perform the duties of a plans examiner or building code inspector for 120 days if a provisional certificate application has been submitted if such person is under the direct supervision of a person licensed as a ~~certified~~ building code administrator under this part ~~who holds a standard certification~~ and who has found such person qualified for a provisional certificate. Direct supervision and the determination of qualifications may also be provided by a building code administrator who holds a limited or provisional certificate in a county having a population of fewer than 75,000 and in a municipality located within such county.

(10)

(b) The board shall by rule establish:

1. Reciprocity of certification with any other state that requires an examination administered by the International Code Council.

2. That an applicant for certification as a building code inspector or plans examiner may apply for a provisional

certificate valid for the duration of the internship period.

3. That partial completion of an internship program may be transferred between jurisdictions or private providers, or a private provider's firm, on a form prescribed by the board.

4. That an applicant may apply for a standard certificate on a form prescribed by the board upon successful completion of an internship certification program.

5. That an applicant may apply for a standard certificate at least 30 days but ~~and~~ no more than 60 days before completing the internship certification program.

6. That a building code inspector or plans examiner who has standard certification may seek an additional certification in another category by completing an additional nonconcurrent 1-year internship program in the certification category sought and passing an examination administered by the International Code Council and a board-approved 40-hour code training course.

Section 3. Paragraph (b) of subsection (2) and subsection (13) of section 553.791, Florida Statutes, are amended, and paragraph (c) is added to subsection (2) of that section, to read:

553.791 Alternative plans review and inspection.—

(2)

(b) If an owner or contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must reduce the permit fee by the amount

of cost savings realized by the local enforcement agency for not having to perform such services. Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services. The local jurisdiction may not charge fees for building inspections if the fee owner or contractor hires a private provider to perform such services; however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both.

(c) If an owner or contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must provide equal access to all permitting and inspection documents and reports to the private provider, owner, and contractor.

(13) No more than 2 business days after receipt of a request for a certificate of occupancy or certificate of completion and the applicant's presentation of a certificate of compliance and approval of all other government approvals required by law, the local building official shall issue the certificate of occupancy or certificate of completion or provide a notice to the applicant identifying the specific deficiencies,

as well as the specific code chapters and sections. If the local building official does not provide notice of the deficiencies within the prescribed 2-day period, the request for a certificate of occupancy or certificate of completion is automatically ~~shall be deemed~~ granted and considered ~~the certificate of occupancy or certificate of completion shall be~~ issued as of ~~by the local building official on~~ the next business day, and the permit is closed. The local building official must provide the applicant with the written certificate of occupancy or certificate of completion within 10 days after it is automatically granted and issued. To resolve any identified deficiencies, the applicant may elect to dispute the deficiencies pursuant to subsection (14) or to submit a corrected request for a certificate of occupancy or certificate of completion.

Section 4. This act shall take effect July 1, 2022.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to building inspection services;
amending s. 468.603, F.S.; providing a definition;
amending s. 468.609, F.S.; revising eligibility requirements for a person applying to become certified as a building code inspector or plans examiner;

revising the special conditions or requirements that the Florida Building Code Administrators and Inspectors Board may impose on provisional certificates; authorizing a person to perform certain duties under certain conditions if the person is under the direct supervision of a person licensed as a building code administrator, engineer, or architect; authorizing that partial completion of an internship program be transferred between jurisdictions or private providers, or a private provider's firm; amending s. 553.791, F.S.; limiting the administrative fee that a local jurisdiction can charge when an owner or contractor hires a private provider for inspection services; requiring the local jurisdiction to provide access to certain documents to a private provider, contractor, and owner; providing that a certificate of occupancy or certificate of completion is automatically granted and issued, and the permit application closed, under certain circumstances; requiring the local building official to provide a written certificate of occupancy or certificate of completion within a specified time; providing an effective date.