**Proposed Modification to the Florida Building Code**

**Modification #: TBD**

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**Code: Florida Building Code – Energy Conservation**

**Section #: 403.1**

**Text of Modification [additions underlined; deletions ~~stricken~~]:**

**401.2 Compliance.** Projects shall comply with Sections 401, 402.4, 402.5, and 403.1.1, 403.1.3, 403.1.4, 403.2.2, 403.2.3, and 403.3 through 403.9 (referred to as the mandatory provisions) and either:

1. Sections 402.1 through 402.3, 403.1.2, 403.2.1 and 404.1 (prescriptive); or

2. Section 405 (performance).

**403.1 Controls ~~(Mandatory).~~** ~~At least one thermostat shall be provided for each separate heating and cooling system.~~

**403.1.1 Thermostat provision (Mandatory).** At least one thermostat shall be provided for each separate heating and cooling system.

**403.1.~~1~~2 Programmable thermostat (Prescriptive).** Where the primary heating system is a forced-air furnace, at least one thermostat per dwelling unit shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).

**403.1.~~2~~3 Heat pump supplementary heat (Mandatory).** Heat pumps having supplementary electric-resistance heatshall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressorcan meet the heating load.

**403.1.~~3~~4 Humidity control (Mandatory).** Where a humidistat is used for comfort dehumidification, it shall be capable of being set to prevent the use of fossil fuel or electricity to reduce humidities below 60 percent.

**Fiscal Impact Statement [Provide documentation of the costs and benefits of the proposed modifications to the code for each of the following entities. Cost data should be accompanied by a list of assumptions and supporting documentation. Explain expected benefits.]:**

**A. Impact to local entity relative to enforcement of code:**

None, as this modification only clarifies the intention of the code that programmable thermostats are required for prescriptive but are optional for performance.

**B. Impact to building and property owners relative to cost of compliance with code:**

None

**C. Impact to industry relative to cost of compliance with code:**

None

### Rationale [Provide an explanation of why you would like this Proposed Modification to the Florida Building Code.]:

Conflicts within the updated code. Although Section 403.1, Controls, is labeled as Mandatory, it is unclear whether all control requirements are. Table B-1.1.2(1) allows standard or programmable thermostats for Section 405 (performance) compliance. The proposed language would clarify that programmable thermostats are required for prescriptive compliance by Section 402.1 (if the primary heating system is a forced-air furnace), but they are not required for Section 405 (performance) compliance (whether the primary heating system is a forced-air furnace or not). Changes are also proposed to Section 401.2 for consistency with proposed Section 403.1 changes.

**Please explain how the proposed modification meets the following requirements:**

1. **Has a reasonable and substantial connection with the health, safety, and welfare of the general public:**

Public is benefited since this modification clarifies the intention of the code.

1. **Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction:**

This modification clarifies the intention of the code that a builder has choices by the performance method regarding programmable thermostats.

1. **Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities:**

The proposed modification does not discriminate against materials, products, methods, or systems of construction.

1. **Does not degrade the effectiveness of the code:**

This modification clarifies the intention of the code that a builder has choices by the performance method regarding programmable thermostats.