

## Notice of Proposed Rule

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Florida Building Commission

RULE NO.:       RULE TITLE:

61G20-1.001     Florida Building Code Adopted

PURPOSE AND EFFECT: To adopt the 6th Edition Florida Building Code (2017) to address the statutorily required triennial update.

SUMMARY: This rule amendment represents the Section 553.73(7)(a), F.S., triennial update process. The Florida Building Commission (Commission) has reviewed local amendments to the Code and proposals for modifying the Code and has approved for adoption the 6th Edition, Florida Building Code (2017), which incorporates those proposed modifications which received at least a 75% supermajority vote of the Commission, as well as amendments and modifications previously adopted and required by law to be carried forward into the next edition of the Code. The Commission intends to update the Florida Building Code by amending the language of Rule 61G20-1.001, F.A.C. to incorporate the 6th Edition, Florida Building Code (2017) by reference. The proposed Code is published and available for review via link on the Commission website, [www.floridabuilding.org](http://www.floridabuilding.org) and at [codes.iccsafe.org/public/collections/FL](http://codes.iccsafe.org/public/collections/FL).

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The following is a Summary of the Statement of Estimated Regulatory Costs:

- The rule is not likely to directly or indirectly have an adverse impact on economic growth, private-sector job creation or employment, or private-sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- The rule is not likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- The rule is likely to directly or indirectly increase regulatory costs, including any transaction costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rules.
- The number of individuals and entities likely to be required to comply with the rule based on the number of building code administrators/inspectors, electrical contractors, engineers, the construction industry, architects, and interior designers over the last two years will be approximately 189,203.
- The agency will not incur any costs for implementing or enforcing the proposed rule.
- The cost to any other state and local government entities of implementing the proposed rule is indeterminate.
- The total estimated costs to the individuals and entities that are required to comply with the rule in a 5 year period is in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- The estimated number of small businesses that would be subject to the rule is greater than 5,000.
- There are small counties or small cities that will be impacted by the rule.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the exemption listed in sections 120.541(4) and 120.80(16), Florida Statutes.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 553.73(1), (7) FS.

LAW IMPLEMENTED: 399.031, 553.37(1), 553.72, 553.73 FS., Sections 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida, Section 37, Chapter 2016-129, Laws of Florida.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 13, 2017, 8:30 a.m. or as soon as thereafter as the matter comes before the Florida Building Commission in accordance with its agenda.

PLACE: The Shores Resort and Spa, 2637 South Atlantic Avenue, Daytona Beach Shores, Florida 32118.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Barbara Bryant, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)717-1838.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mo Madani, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)717-1825

THE FULL TEXT OF THE PROPOSED RULE IS:

**61G20-1.001 Florida Building Code Adopted**

(1) The 6th Edition Florida Building Code, (2017) 5th Edition (2014), as updated by the Florida Building Commission on April 4, 2017 and May 12, 2017 ~~November 13, 2014, and modified by the Florida Building Commission on June 8, 2016, and October 13, 2016~~, incorporated herein by reference is hereby adopted as the building code for the State of Florida.

(2) through (3) No change.

*Rulemaking Authority 553.73(1), (7) FS. Law Implemented 399.031, 553.37(1), 553.72, 553.73 FS., Sections 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida, Sections 10, 11, 14, 17, 19, 23, 24, 25, 26, 32, 33, 34, 35, 36, 37, 39, Chapter 2016-129, Laws of Florida, Chapter 2016-211, Laws of Florida. History—New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06, 5-21-07, 10-1-08, 2-17-09, 10-1-09, Formerly 9B-3.047, Amended 11-10-11, Formerly 9N-1.001, Amended 4-25-13, 6-30-15, 12-21-16, \_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Building Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Building Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 12, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 27, 2016