1984

Session Law 84-273

Florida Senate & House of Representatives

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### LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

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**NOTES**
## I. SUMMARY:

### A. Present Situation:

Part VI of chapter 553, Florida Statutes, sets forth requirements for the State Minimum Building Codes. It requires all local governments and state agencies with building construction regulation responsibilities to adopt a building code concerning all types of construction, including the provisions of part V of chapter 553, Florida Statutes, relating to accessibility by handicapped persons. It provides a list of all model codes which satisfy the minimum code requirements. It authorizes the Board of Building Codes and Standards in the Department of Community Affairs (DCA) to make recommendations to revise, alter, repeal, or update the codes (s. 553.73, F.S.). It also authorizes the board, upon request, to issue advisory opinions relating to the interpretation, enforcement, administration, or modification of the codes (s. 553.77, F.S.).

Part II of chapter 553, Florida Statutes, the Florida Electrical Code, provides minimum standards and requirements for design, methods of construction, and uses of materials in electrical wiring, apparatus, or equipment used for light, heat, or power. The code applies statewide to all new buildings and structures and alterations to any new building or structure, but does not apply to nonresidential farm buildings (s. 553.17, F.S.). It is the responsibility of the governing bodies of the state and each county and municipality of the state to provide for the enforcement of the code (s. 553.20, F.S.).

Part VII of Chapter 553, Florida Statutes, the Florida Thermal Efficiency Code, provides a statewide uniform standard for energy efficiency in the thermal design and operation of all buildings statewide. The DCA shall adopt, modify, revise, update, and maintain the code to implement its provisions in accord with the procedures of chapter 120, Florida Statutes (s. 553.904, F.S.). The code applies to all new and renovated buildings in the state, except exempted buildings (s. 553.903, F.S.).

### B. Effect of Proposed Changes:

The bill updates references to model codes and standards which satisfy the minimum electrical and building codes requirements.

The provisions of parts I, II, III, IV, an VII of chapter 553, Florida Statutes, which pertain to plumbing, electrical, glass, manufactured building, and thermal efficiency construction standards, respectively, are brought under the minimum building code.
The current exemption from the State Minimum Building Codes of mobile homes used as temporary offices is amended to require compliance with the provisions of part V of chapter 553, Florida Statutes, relating to accessibility by handicapped persons.

The Board of Building Codes and Standards is authorized to periodically amend the State Minimum Building Codes by rule, in accordance with the requirements of chapter 120, Florida Statutes, consistent with the recommendations of the code promulgating organizations.

The opinions of the board regarding interpretation, enforcement, and administration of the building code, where applicable, must be uniform statewide and are to be accorded the weight generally accorded opinions of administrative agencies charged with implementation of law, and are to be rendered in the same manner as declaratory statements pursuant to s. 120.565, Florida Statutes.


The bill deletes the provision that changes in the energy code made by the DCA are to be made available for public review and comment no later than June 1 of the year prior to code implementation.

The bill reduces the code-required thermostat setting for water heaters sold after October 1, 1980 for residential use from 125 to 110 degrees Fahrenheit. The bill provides that electric water heaters shall not have a standby loss which exceeds 4 watts per square foot of tank surface per hour.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

There may be some impact on the building industry and consumers from the updating of the code requirements, but the extent of the impact is indeterminable. On the one hand, less expensive building materials may be permitted under the updated codes, while in other cases, additional requirements may add to the eventual cost of the structure. It is assumed that any increases or decreases in builders' costs to convert existing inventory and maintain new inventory consistent with updated codes would be passed on to consumers.

The requirement that mobile homes used as temporary offices comply with the building code standards related to accessibility by handicapped persons will result in an indeterminable cost to the owner of any such mobile home which presently does not meet these accessibility standards.

Reducing the required temperature setting of water heaters and requiring electric water heaters to have a standby loss not to exceed 4 watts per square foot per hour will result in energy cost savings for consumers installing new water heaters which meet the requirements rather than less energy efficient units. Manufacturers producing water heaters which do not meet the required standards would not be able to market units in the state for installation in conformance with the State Minimum Building Code.

Any costs incurred by code enforcement agencies funded by inspection fees are assumed to be passed on ultimately to persons who pay those fees. In communities where general local
government funds are used to support the office, any cost increases are assumed to ultimately be passed on to local taxpayers.

B. Government:

Code enforcement agencies might incur some administrative expenses in updating their codes.

III. COMMENTS:

Similar bills were filed in 1983; SB 729 was reported favorably by ECCA as a committee substitute, and HB 1242 was filed in the House.

Similar bills, SB 488 and HB 747, have been filed this session.

IV. AMENDMENTS:

None.
I. SUMMARY:

A. Present Situation:

Part VI of chapter 553, Florida Statutes, sets forth requirements for the State Minimum Building Codes. It requires all local governments and state agencies with building construction regulation responsibilities to adopt a building code concerning all types of construction, including the provisions of part V of chapter 553, Florida Statutes, relating to accessibility by handicapped persons. It provides a list of all model codes which satisfy the minimum code requirements. It authorizes the Board of Building Codes and Standards in the Department of Community Affairs (DCA) to make recommendations to revise, alter, repeal, or update the codes (s. 553.73, F.S.). It also authorizes the board, upon request, to issue advisory opinions relating to the interpretation, enforcement, administration, or modification of the codes (s. 553.77, F.S.).

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B. Effect of Proposed Changes:

The bill updates references to model codes and standards which satisfy the minimum electrical and building codes requirements. The provisions of parts I, II, III, IV, and VII of chapter 553, Florida Statutes, which pertain to plumbing, electrical, glass, manufactured building, and thermal efficiency construction standards, respectively, are brought under the minimum building code.
The current exemption from the State Minimum Building Codes of mobile homes used as temporary offices is amended to require compliance with the provisions of part V of chapter 553, Florida Statutes, relating to accessibility by handicapped persons.

The Board of Building Codes and Standards is authorized to periodically amend the State Minimum Building Codes by rule, in accordance with the requirements of chapter 120, Florida Statutes, consistent with the recommendations of the code promulgating organizations.


The bill reduces the code-required thermostat setting for water heaters sold after October 1, 1980 for residential use from 125 to 110 degrees Fahrenheit. The bill provides that electric water heaters shall not have a standby loss which exceeds 4 watts per square foot of tank surface per hour.

Condominiums and townhouses are added to the list of structures exempt from the accessibility features required of new buildings.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

There may be some impact on the building industry and consumers from the updating of the code requirements, but the extent of the impact is indeterminable. On the one hand, less expensive building materials may be permitted under the updated codes, while in other cases, additional requirements may add to the eventual cost of the structure. It is assumed that any increases or decreases in builders' costs to convert existing inventory and maintain new inventory consistent with updated codes would be passed on to consumers.

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Any costs incurred by code enforcement agencies funded by inspection fees are assumed to be passed on ultimately to persons who pay those fees. In communities where general local government funds are used to support the office, any cost increases are assumed to ultimately be passed on to local taxpayers.

B. Government:

Code enforcement agencies might incur some administrative expenses in updating their codes.
III. COMMENTS:

Similar bills were filed in 1983; SB 729 was reported favorably by ECCA as a committee substitute, and HB 1242 was filed in the House.

Similar bills, SB 488 and HB 747, have been filed this session.

This bill was approved by the Governor on June 19, 1984, and appears as chapter 84-273, Laws of Florida.

IV. AMENDMENTS:

None.
I. SUMMARY

A. Present Situation:

Present law, Part VI of Chapter 553, sets forth requirements for State Minimum Building Codes. It requires all local governments and state agencies with building construction regulation responsibilities to adopt a building code which shall cover all types of construction including provisions relating to accessibility of handicapped persons by January 1, 1978.

Chapter 553 provides a list of various types of codes which make up the State Minimum Building Codes.

The chapter authorizes the Board of Building Codes and Standards to make recommendations to revise, alter, repeal or update the Codes.

The chapter further authorizes the Board, upon request, to issue advisory opinions relating to the interpretation, enforcement, administration, or modification of the Codes.

Also, the chapter provides for statutory civil action for violation of the Codes.

B. Effect of Proposed Changes:

This bill would require local governments and appropriate state agencies to adopt the most current code containing the provisions relating to the state building construction standards by October 1, 1984.

It updates references to all codes to be contained in the Minimum Building Code.

It provides for accessibility by handicapped persons relating to temporary offices.
It authorizes the State Board of Building Codes and Standards to periodically update the State Minimum Building Codes by rule. Provides that opinions issued by the Board be accorded the weight given to opinions of administrative agencies charged with enforcement of laws.

C. Section by Section Analysis:

Section 1 -- amends S. 553.19, F.S., relating to electrical standards to update various provisions of the National Electrical Code and the National Fire Protection Association Code.

Section 2 -- of this bill amends subsections (1), (2), (6), and (7) of section 553.73, F.S..

Subsection (1) would be amended to change from January 1, 1978 to October 1, 1984 the requirement of local governments and appropriate state agencies to adopt a code which shall include the provisions of Parts I through VII of Chapter 553, F.S..

Subsections (a) through (e) of subsection (2) would be amended to update references to building codes listed in those subsections. Provisions pertaining to accessibility by handicapped persons are deleted due to its new inclusion in subsection (1).

Subsection (6) provides for the accessibility for handicapped persons relating to temporary offices.

Subsection (7) authorizes the Board of Building Codes and Standards to periodically amend the State Minimum Building Codes by rule in accordance with requirements of Chapter 120, and consistent with the recommendations of the Code promulgating organizations.

Section 3 -- amending s. 553.77(1)(d), provides that the Board shall, upon written application by a private party, law enforcement agency, or state agency with construction regulation responsibilities, issue opinions relating to the interpretation, enforcement, administration, or modification of the State Minimum Building Codes. It further provides that such opinions shall be uniform statewide and shall be accorded the weight given administrative agencies, charged with enforcement of law.

Sections 4, 5, 6, 7, and 9 -- Changes the name of the Florida Model Energy Efficiency Code for Building Construction, by deleting the word model, to the Florida Energy Efficiency Code for Building Construction.
Section 8 -- Amends the Florida Model Energy Efficiency Code to change the temperature settings and standby loss requirements for hot water heaters, and deletes the out-of-date references to such heaters no longer needed in the Model Code.

Section 10 -- Provides that this act shall take effect upon becoming law.

II. ECONOMIC IMPACT

A. Public:

The change in building codes will impact on the building industry and individuals. It is not possible, given available data, to determine the extent of this impact.

B. Government:

Local governments will incur minimal additional expenses in updating their codes. As mentioned above, data limitation prohibits a more detailed analysis of the impact of this legislation.

III. COMMENTS

None.

IV. END OF SESSION UPDATE

SB 465, substantively identical to HB 1167, became law as Chapter 84-273, Laws of Florida. A similar bill HB 747 (adopted as the CS for SB 488), also became law as Chapter 84-66, Laws of Florida. That bill amends Florida Statute 553.19(2),(3) & (7) to require an update in provisions relating to electrical codes. It should be noted that there appears to be a conflict between section 1, page 2, lines 18 & 19 of SB 465 which deletes section 7 of Florida Statute 553.19 and section 1, page 2, lines 10 & 11 which updates (but does not delete) section 7 of Florida Statute 553.19.

V. PREPARED BY Mario Taylor

VI. STAFF DIRECTOR Mike Cusick

VII. COPY TO SPONSOR J. Umberger
I. SUMMARY

A. Present Situation:

Present law, Part VI of Chapter 553, sets forth requirements for State Minimum Building Codes. It requires all local governments and state agencies with building construction regulation responsibilities to adopt a building code which shall cover all types of construction including provisions relating to accessibility of handicapped persons by January 1, 1978.

Chapter 553 provides a list of various types of codes which make up the State Minimum Building Codes.

The chapter authorizes the Board of Building Codes and Standards to make recommendations to revise, alter, repeal or update the Codes.

The chapter further authorizes the Board, upon request, to issue advisory opinions relating to the interpretation, enforcement, administration, or modification of the Codes.

Also, the chapter provides for statutory civil action for violation of the Codes.

B. Effect of Proposed Changes:

This bill would require local governments and appropriate state agencies to adopt the most current code containing the provisions relating to the state building construction standards by October 1, 1984.

It updates references to all codes to be contained in the Minimum Building Code.

It provides for accessibility by handicapped persons relating to temporary offices.
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Subsection (6) provides for the accessibility for handicapped persons relating to temporary offices.

Subsection (7) authorizes the Board of Building Codes and Standards to periodically amend the State Minimum Building Codes by rule in accordance with requirements of Chapter 120, and consistent with the recommendations of the Code promulgating organizations.

Section 3 -- provides that the Board shall upon written application by a private party, law enforcement agency, or state agency with construction regulation responsibilities issue opinions relating to the interpretation, enforcement, administration, or modification of the State Minimum Building Codes. It further provides that such opinions shall be uniform statewide and shall be accorded the weight given administrative agencies, charged with enforcement of law.

Sections 4, 5, 6, 7, and 9 -- Changes the name of the Florida Model Energy Efficiency Code for Building Construction, by deleting the word model, to the Florida Energy Efficiency Code for Building Construction.
Section 8 -- Amends the Florida Model Energy Efficiency Code to change the temperature settings and standby loss requirements for hot water heaters, and deletes the out-of-date references to such heaters no longer needed in the Model Code.

Section 10 -- Provides that this act shall take effect upon becoming law.

II. ECONOMIC IMPACT

A. Public:

The change in building codes will impact on the building industry and individuals. It is not possible, given available data, to determine the extent of this impact.

B. Government:

Local governments will incur minimal additional expenses in updating their codes. As mentioned above, data limitation prohibits a more detailed analysis of the impact of this legislation.

III. COMMENTS

It should be noted that a bill similar to this bill has been introduced in three previous sessions and each bill has died.

V. PREPARED BY Mario Taylor

VI. STAFF DIRECTOR Mike Cusick

VII. COPY TO SPONSOR
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Present law, Part VI of Chapter 553, sets forth requirements for State Minimum Building Codes. It requires all local governments and state agencies with building construction regulation responsibilities to adopt a building code which shall cover all types of construction including provisions relating to accessibility of handicapped persons by January 1, 1978.

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**Section 3** -- provides that the Board shall upon written application by a private party, law enforcement agency, or state agency with construction regulation responsibilities issue opinions relating to the interpretation, enforcement, administration, or modification of the State Minimum Building Codes. It further provides that such opinions shall be uniform statewide and shall be accorded the weight given administrative agencies, charged with enforcement of law.

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III. COMMENTS

It should be noted that a bill similar to this bill has been introduced in three previous sessions and each bill has died.

V. PREPARED BY Mario Taylor

VI. STAFF DIRECTOR Mike Cusick

VII. COPY TO SPONSOR
A bill to be entitled
An act relating to appliance energy efficiency standards; creating part VIII of chapter 553, F.S., the Florida Appliance Efficiency Standards Act, providing powers of the Department of Community Affairs; specifying standing of the Public Service Commission; specifying appliances covered by the act; providing for adoption of such standards and requiring compliance therewith, providing for test methods; specifying effective dates; providing for revision of standards; requiring manufacturers to submit certification statements; providing for enforcement and penalties, requiring reports to the Legislature; repealing ss 553.909 and 553.912, F.S., relating to standards for water heaters, dishwashers, and air conditioners, providing an effective date.

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

Section 1. Part VIII of chapter 553, Florida Statutes, consisting of sections 553.951, 553.953, 553.955, 553.957, 553.959, 553.961, 553.963, 553.965, 553.967, 553.969, 553.971, 553.973, and 553.975, is created to read:

553.951 Short title.--This part may be cited as the "Florida Appliance Efficiency Standards Act."

553.953 Purpose --
(1) The purpose of these appliance efficiency standards is to provide for a statewide uniform standard for
energy efficiency in appliances, consistent with energy
conservation goals. Standards adopted by or pursuant to this
part shall collectively be known and may be cited as "Florida
Appliance Efficiency Standards."

(2) The Legislature recognizes that energy
conservation is an important element of the energy policy of
this state. Further, it is the policy of the state and the
intent of the Legislature to employ a range of measures to
reduce wasteful, uneconomical, and unnecessary uses of energy,
thereby reducing the rate of growth of energy consumption and
prudently conserving energy resources. The Legislature finds
that increased appliance efficiency can contribute
significantly toward energy conservation. It is the intent of
the Legislature to bring about increased appliance efficiency
through adoption of appliance efficiency standards.

(3) The Department of Community Affairs shall adopt,
modify, revise, update, and maintain the Florida Appliance
Efficiency Standards to implement the provisions of this part
and amendments thereto in accordance with the procedures of
chapter 120.

(4) The Florida Public Service Commission shall have
standing to participate in any administrative proceeding
conducted pursuant to chapter 120 which involves this part or
the Florida Appliance Efficiency Standards. This standing is
consistent with the Florida Public Service Commission's
responsibility to develop and revise conservation goals for
Florida's electric and natural gas utilities under the Florida

553.955 Definitions.--For purposes of this part:
(1) "Department" means the Department of Community
Affairs.
(2) "Date of sale" means the day when the appliance is physically delivered to the buyer.

(3) "Manufacturer" means any person or business entity engaged in the original production or assembly of an appliance.

(4) "Distributor" means any person or business entity which distributes a privately labeled appliance on a national basis for which the specifications for manufacture, testing and certification are established and attested to by the distributor, rather than the manufacturer.

(5) "New appliance" means an appliance that is sold, offered for sale, or installed for the first time and specifically includes floor models and demonstration units.


(7) With respect to refrigerators and freezers:
   (a) "Automatic defrost system" means a defrost system in which the defrosting action for all refrigerated surfaces is initiated and terminated automatically.
   (b) "Freezer" means a cabinet designed as a unit for the storage of food at temperatures of about 0°F, having the ability to freeze food, and having a source of refrigeration requiring an energy input.
   (c) "Refrigerator" means a cabinet designed for the refrigerated storage of food at temperatures above 32°F, and having a source of refrigeration requiring an energy input. It may include a compartment for the freezing and storage of food at temperatures below 32°F, but does not provide a separate low temperature compartment designed for the freezing of and the long-term storage of food at temperatures below...
8°F. It has only one exterior door, but it may have interior
doors on compartments.

(d) "Refrigerator-freezer" means a cabinet which
consists of two or more compartments with at least one of the
compartments designed for the refrigerated storage of foods at
temperatures above 32°F, and with at least one of the
compartments designed for the freezing of and the storage of
frozen foods at temperatures of 8°F or below. The source of
refrigeration requires energy input.

(e) "Upright freezer" means a freezer whose access
door is at the front of the appliance.

8 Definitions used in the Florida Model Energy
Efficiency Code for Building Construction shall also apply to
terms used in this part.

553.957 Appliances covered by this part --

1 The provisions of this part apply to the testing,
certification and enforcement of efficiency standards for the
following types of new appliances sold in Florida:

(a) Refrigerators, refrigerator-freezers, and freezers
which can be operated by alternating current electricity,
excluding the following types:

1. Those with total refrigerated volume exceeding 39
cubic feet.

2. Those designed to be used without doors.

3 Those which do not include a compressor and a
condenser unit as an integral part of the cabinet assembly.

(b) Room air conditioners.

(c) Central air conditioners.

(d) Central air conditioning heat pumps.

(e) Gas space heaters

(f) Storage type water heaters.
(g) Shower heads.

(h) Dishwashers

(1) Any other appliance whose use, as determined by the department, requires a significant amount of energy on a statewide basis.

(2) The provisions of this part do not apply to:

(a) New appliances manufactured in Florida and sold outside the state.

(b) New appliances manufactured outside Florida and sold at wholesale in Florida for final retail sale and installation outside the state.

(c) Appliances installed in mobile homes at the time of construction.

(d) Appliances designed expressly for installation and use in recreational vehicles or other equipment designed for regular mobile use.

553.959 Applicability --

(1) Subject to the effective dates provided by s. 553.967, no new appliance covered by this part may be sold, offered for sale, advertised or otherwise displayed for sale, installed or caused to be installed in buildings or structures in Florida unless the efficiency rating of the appliance meets or exceeds the levels established by this part. Further, appliances which do not comply with the provisions of this part shall not be imported or delivered after sale or pursuant to a contract for sale for use in or in connection with a building or structure in Florida.

(2) The standards adopted in or pursuant to the provisions of this part shall be minimum standards. They shall constitute a statewide, uniform standard for appliance efficiency. It is the intent of the Legislature that those
levels of efficiency contained in the 1984 edition of the code shall be incorporated into these standards and shall become the initial Florida Appliance Efficiency Standards. The Legislature further intends that standards contained in or developed pursuant to provisions of this part shall preempt the further need for appliance efficiency requirements in the code, except by reference to these Florida Appliance Efficiency Standards.

553.961 Test methods.--The manufacturer shall cause the testing of samples of each model of each appliance covered by this part. Test procedures identified in the Florida Energy Efficiency Code for Building Construction shall be the accepted test procedures for those appliances addressed by the code. Test procedures for appliances not addressed in the code shall be determined by the department. The department shall use Department of Energy approved test methods, or in the absence of such test methods, other appropriate nationally recognized test methods applicable to the respective appliances. The department may elect to develop and prescribe other test methods based upon the department’s determination that use of such other test method is justified due to decreased cost, increased accuracy, or the general use and acceptance of a specific test method by the industry involved. Test procedures may include any requirement which the department determines is necessary to assure that each covered product to which such standard applies meets the required minimum level of energy efficiency specified in such standard.

553.963 Efficiency standards.--

(1) The initial minimum efficiency standards for room air conditioners, central air conditioners, central air conditioning heat pumps, gas space heaters, water heaters, and
shower heads shall be those contained in the 1984 edition of
the Florida Model Energy Efficiency Code for Building
Construction.
(2) The annual energy consumption of all new
refrigerators, refrigerator-freezers and freezers shall not
exceed the values derived from the appropriate formulas where
V is the total refrigerated volume (cubic feet) and EC is the
energy consumption (kwh per year)

<table>
<thead>
<tr>
<th>Appliance</th>
<th>Formula</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refrigerators</td>
<td>EC = 487 + 30 42V</td>
</tr>
<tr>
<td>Refrigerator-freezers</td>
<td></td>
</tr>
<tr>
<td>with automatic defrost systems</td>
<td></td>
</tr>
<tr>
<td>with anti-sweat heater switch</td>
<td>EC = 487 + 55V</td>
</tr>
<tr>
<td>without anti-sweat heater switch</td>
<td>EC = 487 + 60.83V</td>
</tr>
<tr>
<td>all others</td>
<td>EC = 487 + 48.67V</td>
</tr>
<tr>
<td>Upright freezers</td>
<td></td>
</tr>
<tr>
<td>with automatic defrost systems</td>
<td></td>
</tr>
<tr>
<td>with anti-sweat heater switch</td>
<td>EC = 460 + 65V</td>
</tr>
<tr>
<td>without anti-sweat heater switch</td>
<td>EC = 460 + 68.94V</td>
</tr>
<tr>
<td>all others</td>
<td>EC = 460 + 45.96V</td>
</tr>
<tr>
<td>Other freezers</td>
<td>EC = 379 + 37.85V</td>
</tr>
</tbody>
</table>

(3) Dishwashers shall be equipped so that the normal
operating cycle does not include automatic switching on of the
heating element for the drying portion of the operating cycle
Dishwashers that contain controls that permit the user to
elect to have the heating element on during the drying portion
of the operating cycle meet this requirement.

(4) If the provisions of this section are preempted in
whole or in part by federal standards which are less
stringent, the department shall petition the Federal
Government for exemption from such standards.

553.965 Minimum levels of efficiency.--In determining
any standards, the department shall base minimum levels of
operating efficiency on feasible and attainable efficiencies
which will reduce the energy consumption growth rate.

553.967 Dates of compliance.--

(1) These standards shall become effective on the
following dates:

(a) On and after January 1, 1985, these standards
shall be in effect for all dishwashers and for the following
appliances installed in buildings subject to the code: room
air conditioners, room air conditioning heat pumps, central
air conditioners, central air conditioning heat pumps, gas
space heaters, storage type water heaters and shower heads.

(b) On and after January 1, 1986, these standards
shall be in effect for all covered appliances manufactured
after January 1, 1986.

(c) On and after January 1, 1987, these standards
shall be in effect for all covered appliances regardless of
the date of manufacture.

(2) Upon revision of these standards by the
department, such revised standards shall become effective
according to the following schedule:

(a) On and after January 1 of the second year
following the completion of rulemaking proceedings, revised
standards shall be in effect for all covered appliances manufactured after that date

(b) On and after January 1 of the third year following the completion of rulemaking proceedings, revised standards shall be in effect for all covered appliances, regardless of the date of manufacture.

553.969 Revisions of standards -- The department shall, no earlier than 2 years after adoption of new or revised standards and no later than 4 years after adoption of new or revised standards, review and if warranted by the department update the standards established by this part. The department may, however, update all or a portion of these standards earlier than 2 years after adoption, to adopt the most current revisions to the American Society of Heating, Refrigeration and Air Conditioning Engineers Standard, 90. The department shall revise standards based upon its determination that higher efficiency levels are more cost-effective to the users, as a group, of the covered appliances.

553.971 Certification statements.--

(1) Manufacturers of appliances covered by this part shall certify to the department that such appliances are in compliance with the provisions of this part.

(2) Except as provided in subsection (3), the manufacturer shall submit a certification statement to the department for each model, containing the following information:

(a) Name and address of manufacturer
(b) Type of appliance.
(c) Brand name.
(d) Model number, as it appears on the appliance name plate.

CODING Words in square through type are deletions from existing law, words underlined are additions.
(e) Name and address of laboratory where test for efficiency was performed.

(f) Date of test for efficiency.

(g) Results of the test for efficiency, expressed in terms consistent with the applicable test procedure identified in s. 553.961.

(h) Sufficient information about the model number or other identification by which the date of manufacture can be readily ascertained.

(i) A declaration that the appliance model complies with the standards established by this part.

(j) Every certification statement shall be dated and signed by the manufacturer attesting to its truth and accuracy under penalty of perjury. Where the manufacturer is either a corporation or a business association, the certification statement shall be dated, signed and attested to by an officer thereof.

(k) Within 45 days after receipt of a certification statement the department shall forward to the manufacturer an acknowledgement that the statement has been received and that it is complete and accurate on its face.

(3) Manufacturers or distributors of covered appliances that participate in a nationally recognized appliance certification program are exempt from the requirements of subsection (2), except that sufficient information about the model number or identification by which the date of manufacture can be readily ascertained shall be provided to the department.

(4) The following information shall appear on each appliance:

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
(a) The manufacturer or distributor's name or brand name.

(b) The model number as used in certifying compliance with the provisions of this part.

(c) The date of manufacture, which may be coded into the model or serial number for the appliance.

(5) The department may require, by rule, other information necessary to permit the determination that appliances covered by this part comply with the standards established herein.

553 973 Enforcement and penalties.--

(1) The Department of Community Affairs shall investigate any complaints received concerning violations of this part and shall report the results of its investigation to the Attorney General or state attorney. The Attorney General or state attorney may institute proceedings to enjoin any person found to be violating the provisions of this part.

(2) The department shall cause periodic inspections to be made of manufacturers, distributors, or retailers of new appliances in order to determine compliance with this part. The department, by rule, shall adopt procedures for such inspections and verification of appliances.

(3) Any person violating any provision of this part shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.083. Each appliance which is found not to comply with established standards shall constitute a separate offense.

(4) Possession of an appliance by a manufacturer, distributor or retailer of new appliances described in this part which does not comply with established standards in...
effect at the time of possession shall be prima facie evidence
of the intent to violate this part.

553.975 Report to the Legislature.--The Governor's
Energy Office shall submit an annual report to the President
of the Senate and the Speaker of the House of Representatives
not later than November 1 of each year, beginning in 1986.
Such report shall include an evaluation of the effectiveness
of these standards on energy conservation in Florida.

Section 2. Sections 553.909 and 553.912, Florida
Statutes, are hereby repealed.

Section 3. This act shall take effect January 1, 1985.

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HOUSE SUMMARY

Creates the Florida Appliance Efficiency Standards Act.
Specifies administrative powers of the Department of
Community Affairs and provides that the Public Service
Commission has standing to participate in administrative
proceedings. Specifies the appliances covered by the act
and provides for adoption of efficiency standards with
respect thereto. Requires compliance by specified dates.
Provides for adoption of test methods. Provides for
periodic review and revision of standards. Requires
manufacturers to submit certification statements
regarding covered appliances to the department and
requires that certain information appear on appliances.
Provides for injunctive relief, periodic inspections, and
fines. Requires an annual report to the Legislature.

Repeals existing standards relating to water heaters,
dishwashers, and air conditioners.

CODING: Words in struck through type are deletions from existing law, words underlined are additions.
A bill to be entitled
An act relating to thermal efficiency standards; amending s. 553.901, Florida Statutes, 1982 Supplement; removing a requirement that changes to the Florida Model Energy Efficiency Code be made available to the public by a certain time; amending s. 553.909(1), Florida Statutes, providing electric hot water operating criteria, amending s. 553.912, Florida Statutes, requiring only air conditioners installed in new buildings in the state to meet certain efficiency standards, providing an effective date.

Be It Enacted by the Legislature of the State of Florida

Section 1. Section 553.901, Florida Statutes, 1982 Supplement, is amended to read.

553.901 Purpose -- The purpose of this thermal efficiency code is to provide for a statewide uniform standard for energy efficiency in the thermal design and operation of all buildings statewide, consistent with energy conservation goals, and to best provide for public safety, health, and general welfare. The Department of Veterans and Community Affairs shall adopt, modify, revise, update, and maintain the Florida Model Energy Efficiency Code for Building Construction to implement the provisions of this thermal efficiency code and amendments thereto, in accordance with the procedures of chapter 120. The department shall, at least biennially, determine the most cost-effective energy-saving equipment and techniques available and update the code to incorporate such
equipment and techniques. The changes shall be made available
for public review and comment no later than June 1 of the year
prior to code implementation. The term "cost-effective," for
purposes of this part, shall be construed to mean cost-
effective to the consumer.

Section 2. Subsection (1) of section 553.909, Florida
Statutes, is amended to read:

553.909 Setting requirements for appliances;

exceptions.--

(1) Water heaters sold after October 1, 1980, for
residential use shall be installed with a heat trap and shall
have the thermostat set at $110^\circ$ F or whatever minimum the
unit is capable of if it exceeds $125^\circ$ F. Electric water
heaters shall not have a equipped with resistance elements as
the primary heat source shall be installed with a 24-hour
timer, but the timer requirements of this subsection shall not
apply to any electric water heater the standby loss of which
exceeds does not exceed 4 watts per square foot of tank
surface per hour. Water heaters fueled by natural gas or
liquefied petroleum gas in any form which are sold or
installed after March 1, 1981, shall have a recovery
efficiency of 75 percent or more and a standby loss in percent
per hour not exceeding the number determined by dividing 67 by
the volume of the tank in gallons and adding the result to
2.8.

Section 3. Section 553.912, Florida Statutes, is
amended to read:

553.912 Air conditioners.--All air conditioners sold
or installed in new buildings in the state shall meet the
minimum efficiency ratings of the Florida Model Energy
Efficiency Code for Building Construction. These efficiency
ratings shall be minimums and may be updated in the Florida Model Energy Efficiency Code for Building Construction by the department in accordance with s 553.901, following its determination that more cost-effective energy-saving equipment and techniques are available.

Section 4. This act shall take effect upon becoming a law.

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SENATE SUMMARY

Removes the requirement that changes to the Florida Model Energy Efficiency Code for Building Construction be made available for public inspection, review, and comment by July 1 of the year before implementing the changes. Provides electric hot water heater operating criteria. Requires that only air conditioners sold or installed in new buildings in the state meet certain efficiency ratings.

CODING: Words in struck through type are deletions from existing law, words underlined are additions.
A bill to be entitled

An act relating to thermal efficiency
standards, amending s. 553.901, Florida
Statutes, 1982 Supplement; removing a
requirement that changes to the Florida Model 
Energy Efficiency Code be made available to the 
public by a certain time; amending s.
553.909(1), Florida Statutes; providing 
electric water heater operating criteria; 
providing an effective date.

Be It Enacted by the Legislature of the State of Florida.

Section 1. Section 553.901, Florida Statutes, 1982 
Supplement, is amended to read:

553.901 Purpose.--The purpose of this thermal 
efficiency code is to provide for a statewide uniform standard 
for energy efficiency in the thermal design and operation of 
all buildings statewide, consistent with energy conservation 
goals, and to best provide for public safety, health, and 
general welfare. The Department of Veteran and Community 
Affairs shall adopt, modify, revise, update, and maintain the 
Florida Model Energy Efficiency Code for Building Construction 
to implement the provisions of this thermal efficiency code 
and amendments thereto, in accordance with the procedures of 
chapter 120. The department shall, at least biennially, 
determine the most cost-effective energy-saving equipment and 
techniques available and update the code to incorporate such 
equipment and techniques. The changes shall be made available 
for public review and comment no later than June 1 of the year 
prior to code implementation. The term "cost-effective," for
purposes of this part, shall be construed to mean cost-effective to the consumer.

Section 2. Subsection (1) of section 553.909, Florida Statutes, is amended to read:

553.909 Setting requirements for appliances;
exceptions.--

(1) Water heaters sold after October 1, 1980, for residential use shall be installed with a heat trap and shall have the thermostat set at 110° ±2°F or whatever minimum the unit is capable of if it exceeds 110° ±2°F. Electric water heaters shall not have a equipped with resistance elements as the primary heat source shall be installed with a 24-hour timer, but the timer requirements of this subsection shall not apply to any electric water heater the standby loss of which exceeds does not exceed 4 watts per square foot of tank surface per hour. Water heaters fueled by natural gas or liquefied petroleum gas in any form which are sold or installed after March 1, 1981, shall have a recovery efficiency of 75 percent or more and a standby loss in percent per hour not exceeding the number determined by dividing 67 by the volume of the tank in gallons and adding the result to 2.8.

Section 3. This act shall take effect upon becoming a law.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTING SUBSTITUTE FOR SENATE BILL 720

Deletes the provision of the bill relating to air conditioners sold or installed in new buildings.

CODING: Words in italics through type are deletions from existing law, words underlined are additions.
A bill to be entitled

An act relating to building standards, amending
ss. 553.19, 553 73, 553 77, 553.901, 553.904,
553.905, 553 906, 553.909, 553.912, F.S.,
specifying minimum electrical standards,
specifying state minimum building codes and
providing for amendment and interpretation
thereof, specifying thermal efficiency
standards; changing the name of the Florida
Model Energy Efficiency Code for Building
Construction; providing an effective date.

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

Section 1. Section 553.19, Florida Statutes, is
amended to read:
553.19 Adoption of electrical standards.--For the
purpose of establishing minimum electrical standards in this
state, the following standards are adopted:

(1) "National Electrical Code 1984 1984," NFPA No. 70-
1984, 70-1984 with exception of Article 210-8, Ground Fault
Circuit Protection
(2) Underwriters' Laboratories, Inc., "Standards for
Safety, Electrical Lighting Fixtures, and Portable Lamps," UL
(3) Underwriters' Laboratories, Inc., "Standard for
Electric Signs," UL 48-1980
(4) The provisions of the following codes, which
provisions prescribe minimum electrical standards:
(a) NFPA No. 56A-1978, "Inhalation Anesthetics 1978."
(b) NFPA No. 56B-1982 56B-1976, "Respiratory Therapy 1982 1976."

(c) NFPA No. 56C-1980 56C-1976, "Laboratories in Health-related Institutions 1980 1976."

(d) NFPA No. 56D-1982 56D-1976, "Hyperbaric Facilities."


(5) Chapter 100-29 of the rules and regulations of the Department of Health and Rehabilitative Services, entitled "Nursing Homes and Related Facilities Licensure."

(6) The minimum standards for grounding of portable electric equipment, chapter 8C-27 as recommended by the Industrial Standards Section, Division of Workers' Compensation, Department of Labor and Employment Security.


Section 2. Subsections (1), (2), (6), and (7) of section 553.73, Florida Statutes, are amended to read:

553.73 State Minimum Building Codes.--

(1)(a) By October 1, 1983 January 1, 1978, local governments and state agencies with building construction regulation responsibilities shall adopt a building code which shall cover all types of construction. Such code shall include the provisions of parts I through VII part V relating to plumbing, electrical, glass, accessibility by handicapped persons, manufactured buildings, and thermal efficiency, and shall be in addition to the requirements set forth in chapter 527, which pertains to liquefied petroleum gas and parts 5.
(b) In the event that a special act of the Legislature, passed prior or subsequent to January 1, 1978, places responsibility for building construction regulation in a specified local board or agency, the words "local government" and "local governing body" as used in this part shall be construed to refer exclusively to such local board or agency.

(2) There is created the State Minimum Building Codes which shall consist of the following nationally recognized model codes:


(b) National Building Code, 1976 edition;

(c) EPCOT Code, 1982 1977 edition;

(d) One and Two Family Dwelling Code, 1983 edition, with 1984 accumulated amendments; and


Each local government and state agency with building construction regulation responsibilities shall adopt one of the State Minimum Building Codes as its building code. If the One and Two Family Dwelling Code is adopted for residential construction, then one of the other recognized model codes must be adopted for the regulation of other residential and nonresidential structures. The State Minimum Building Codes

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shall include the provisions of part V relating to accessibility by handicapped persons.

(5) The specific model code of the State Minimum Building Codes adopted by a municipality, county, or state agency shall regulate every type of building or structure, wherever it might be situated in the code enforcement jurisdiction; however, such regulations shall not apply to nonresidential farm buildings on farms, to temporary buildings or sheds used exclusively for construction purposes, to mobile homes used as temporary offices, except that the provisions of part V relating to accessibility by handicapped persons shall apply to such mobile homes used as temporary offices, or to any construction exempted under s. 553.80(3) by an enforcement district or local enforcement agency. The codes may be divided into a number of segments, as determined by the municipality, county, or state agency. These segments may be identified as building, mechanical, electrical, plumbing, or fire prevention codes or by other titles as are deemed proper. However, the State Minimum Building Codes shall not contain a housing code; nor shall the state interpose in the area of local housing codes, except upon request originating from an enforcement district or local enforcement agency.

(7) The board may periodically amend, from time to time, make recommendations to revise, alter, repeal, or update the State Minimum Building Codes by rule, in accordance with the recommendations of the code promulgating organizations, either on its own motion or upon application from any affected industry, citizen, state agency, or political subdivision of the state. In recommending any amendment, the board shall comply with the procedural requirements of chapter 120.
Section 3. Paragraph (d) of subsection (1) of section 553.77, Florida Statutes, is amended to read:

553.77 Specific powers of the board --

(1) The board shall:

(d) Upon written application by a private party, or a local enforcement agency, or state agency with construction regulation responsibilities, provide issue advisory opinions relating to the interpretation, enforcement, and administration of building codes, or modification by local governments of the State Minimum Building Codes. Such opinions shall be rendered in the manner provided in s. 120.565, relating to declaratory statements, except that such opinions shall be uniform statewide and shall be accorded the weight given to opinions of administrative agencies charged with implementation of law, and the Florida Manufactured Building Act of 1979.

Section 4. Section 553.901, Florida Statutes, is amended to read:

553.901 Purpose.--The purpose of this thermal efficiency code is to provide for a statewide uniform standard for energy efficiency in the thermal design and operation of all buildings statewide, consistent with energy conservation goals, and to best provide for public safety, health, and general welfare. The Department of Community Affairs shall adopt, modify, revise, update, and maintain the Florida Model Energy Efficiency Code for Building Construction to implement the provisions of this thermal efficiency code and amendments thereto, in accordance with the procedures of chapter 120. The department shall, at least biennially, determine the most cost-effective energy-saving equipment and techniques available and update the code to incorporate such equipment.
and techniques. The changes shall be made available for
public review and comment no later than June 1 of the year
prior to code implementation. The term "cost-effective" for
purposes of this part, shall be construed to mean cost-
effective to the consumer.

Section 5. Section 553.904, Florida Statutes, is
amended to read:

553.904 Thermal efficiency standards for new
nonresidential buildings.--Thermal designs and operations for
new nonresidential buildings for which building permits are
obtained after March 15, 1979, shall take into account
exterior envelope physical characteristics, HVAC system
selection and configuration, HVAC equipment performance, and
service water heating design and equipment performance and
shall not be required to meet standards more stringent than
the provisions of the Florida Model Energy Efficiency Code for
Building Construction.

Section 6. Section 553.905, Florida Statutes, is
amended to read:

553.905 Thermal efficiency standards for new
residential buildings.--Thermal designs and operations for new
residential buildings for which building permits are obtained
after March 15, 1979, shall take into account exterior
envelope physical characteristics, HVAC system selection and
configuration, HVAC equipment performance, and service water
heating design and equipment selection and shall not be
required to meet standards more stringent than the provisions
of the Florida Model Energy Efficiency Code for Building
Construction. All new residential buildings, except those
herein exempted, shall have insulation in ceilings rated at R-
19 or more, space permitting. Thermal efficiency standards

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shall not apply to a building of less than 1,000 square feet the primary use of which is not as a principal residence and which is constructed and owned by a natural person for hunting or similar recreational purposes; however, no such person may build more than one exempt building in any 12-month period.

Section 7. Section 553.906, Florida Statutes, is amended to read:

553.906 Thermal efficiency standards for renovated buildings.--Thermal designs and operations for renovated buildings for which building permits are obtained after March 15, 1979, shall take into account insulation, windows, HVAC systems and performance, and service water heating design and equipment selection and shall not be required to meet standards more stringent than the provisions of the Florida Medei Energy Efficiency Code for Building Construction. These standards shall apply only to the portions of the structure which are actually renovated.

Section 8. Subsection (1) of section 553.909, Florida Statutes, is amended to read:

553.909 Setting requirements for appliances; exceptions.--

(1) Water heaters sold after October 1, 1980, for residential use shall be installed with a heat trap and shall have the thermostat set at $110^\circ F$ $\leq 125^\circ F$ or whatever minimum the unit is capable of if it exceeds $110^\circ F$ $\leq 125^\circ F$. Electric water heaters shall not have a equipped with resistance elements as the primary heat source shall be installed with a 24-hour timer; but the timer requirements of this subsection shall not apply to any electric water heater the standby loss of which exceeds does not exceed 4 watts per square foot of tank surface per hour. Water heaters fueled by natural gas or

CODING Words in struck through type are deletions from existing law, words underlined are additions.
liquefied petroleum gas in any form which are sold or
installed after March 1, 1981, shall have a recovery
efficiency of 75 percent or more and a standby loss in percent
per hour not exceeding the number determined by dividing 67 by
the volume of the tank in gallons and adding the result to
2.8.

Section 9. Section 553.912, Florida Statutes, is
amended to read:

553.912 Air conditioners.—All air conditioners sold
or installed in the state shall meet the minimum efficiency
ratings of the Florida Model Energy Efficiency Code for
Building Construction. These efficiency ratings shall be
minimums and may be updated in the Florida Model Energy
Efficiency Code for Building Construction by the department in
accordance with s. 553.901, following its determination that
more cost-effective energy-saving equipment and techniques are
available.

Section 10. This act shall take effect October 1, 1984.

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SENATE SUMMARY

 Specifies electrical and thermal efficiency standards for
buildings. Specifies state minimum building codes and
provides for amendment and interpretation thereof.
A bill to be entitled
An act relating to energy efficiency standards;
repealing s. 553.909(1), Florida Statutes;
deleting requirements applicable to water
heaters; providing an effective date.

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

Section 1. Subsection (1) of section 553.909, Florida
Statutes, as created by chapter 80-163, Laws of Florida, is
hereby repealed.

Section 2. This act shall take effect July 1, 1982.

***HOUSE SUMMARY***

Deletes energy efficiency requirements for water heaters.
A bill to be entitled
An act relating to state minimum building
codes; amending s. 553.19, F.S.; updating the
codes and standards referenced therein;
amending s. 553.73, F.S.; expanding
requirements within local and state building
codes; updating the state minimum building
codes; providing for accessibility by
handicapped persons to mobile homes used as
temporary offices; authorizing the Board of
Building Codes and Standards to amend the
codes; amending s. 553.77, F.S.; expanding the
authority of the board to issue official
interpretations of the state minimum building
codes; amending s. 553.901, F.S.; deleting the
requirement that changes to the Florida Energy
Efficiency Code shall be made available for
public review; amending s. 553.909, F.S.;
changing water heater temperature and standby
loss requirements; amending ss. 553.904,
553.905, 553.906, and 553.912, F.S.; changing
the name of the Florida Model Energy Efficiency
Code; providing an effective date.

Be it enacted by the Legislature of the State of Florida:

Section 1. Section 553.19, Florida Statutes, is
amended to read:

553.19 Adoption of electrical standards.--For the
purpose of establishing minimum electrical standards in this
state, the following standards are adopted:

CODING: Words in struck through type are deletions from existing law, words underlined are additions.


4. The provisions of the following codes, which provisions are the minimum electrical standards.


8. Chapter 19-9 of the other regulations of the Code in Health and Hospitalization of Surgeries, entitled "Nursing Homes and Related Facilities." (Note: The American National Standards Institute has issued by the American National Standards Institute, Inc., "American National Standards for Hospital Equipment," and A 30 are..." in the following.


CODING: Words in italics through type are deletions from existing law, words underlined are additions.
553.73 State Minimum Building Codes.--

(1)(a) By October 1, 1984 January 1, 1978, local governments and state agencies with building construction regulation responsibilities shall adopt a building code which shall cover all types of construction. Such code shall include the provisions of parts I through VII part V relating to plumbing, electrical, glass, accessibility by handicapped persons, manufactured buildings, and thermal efficiency, and shall be in addition to the requirements set forth in chapter 527, which pertains to liquefied petroleum gas, and parts III of this chapter, which pertain to plumbing, electrical, and glass-construction standards, respectively.

(b) In the event that a special act of the Legislature, passed prior or subsequent to January 1, 1978, places responsibility for building construction regulation in a specified local board or agency, the words "local government" and "local governing body" as used in this part shall be construed to refer exclusively to such local board or agency.

(2) There is created the State Minimum Building Codes which shall consist of the following nationally recognized model codes:


(b) National Building Code, 1976 edition;

(c) EPCOT Code, 1982 1977 edition;

(d) One and Two Family Dwelling Code, 1983 edition, with 1984 accumulated amendments; and

Each local government and state agency with building construction regulation responsibilities shall adopt one of the State Minimum Building Codes as its building code. If the one and Two Family Dwelling Code is adopted for residential construction, then one of the other recognized model codes must be adopted for the regulation of other residential and nonresidential structures. The State Minimum Building Codes shall include provisions at least pertaining to accessibility by handicapped persons.

(f) The specific local code of the State Minimum Building Codes adopted by a municipality, county, or state agency shall regulate every type of building structure, wherever it might be situated in the local jurisdiction; however, such regulations shall not apply to nonresidential farm buildings on farms, to temporary buildings or sheds used exclusively for construction purposes, to mobile homes used as temporary shelters, or to any construction exempted under § 553.001 cited herein, or to any structure in an enforcement area in which the provisions of this code are not applicable to mobile homes used as temporary shelters. The code may be divided into a number of segments, as determined by the municipality, county, or state agency. These segments may be identified as building, mechanical, electrical, plumbing, or fire prevention codes or by other titles as are deemed proper. However, the State Minimum Building Codes shall contain a housing code; nor shall the State incorporate in the area of
local housing codes, except upon request originating from an 
enforcement district or local enforcement agency.

(7) The board may periodically amend, from time to 
time, make recommendations to revise, cite, repeal, or update 
the State Minimum Building Codes by rule, in accordance with 
the requirements of chapter 120, consistent with the 
recommendations of the code promulgating organizations.

The board may periodically amend, from time to time, make 
recommendations to revise, cite, repeal, or update 
the State Minimum Building Codes by rule, in accordance with 
the requirements of chapter 120, consistent with the 
recommendations of the code promulgating organizations.

Either on its own motion or upon application from any 
affected industry, citizen, state agency, or political 
subdivision of the state, in recommending any amendment; the 
board shall comply with the procedural requirements of chapter 
120.

Section 3. Paragraph (d) of subsection (1) of section 
553.77, Florida Statutes, is amended to read:

553.77 Specific powers of the board.--

(1) The board shall:

(d) Upon written application by a private party, or a 
local enforcement agency, or a state agency with construction 
regulation responsibilities, provide issue-advisory opinions 
relating to the interpretation, enforcement, and 
administration of building codes, or modification by local 
governments of the State Minimum Building Codes and the 
Florida-Manufactured-Building-Act-of-1979. Such opinions 
shall be rendered in the manner provided in s. 120.565, 
relating to declaratory statements, except that such opinions 
shall be uniform statewide and shall be accorded the weight 
given to opinions of administrative agencies charged with 
implementation of law.

Section 4. Section 553.901, Florida Statutes, is 
amended to read:

CODING Words in struck through type are deletions from existing law, words underlined are additions
553.901 Purpose.—The purpose of this thermal efficiency code is to provide for a statewide uniform standard for energy efficiency in the thermal design and operation of all buildings statewide, consistent with energy conservation goals, and to best provide for public safety, health, and general welfare. The Department of Community Affairs shall adopt, modify, revise, update, and maintain the Florida Model Energy Efficiency Code for Building Construction to implement the provisions of this thermal efficiency code and amendments thereto, in accordance with the procedures of chapter 120.

The department shall, at least biennially, determine the most cost-effective energy-saving equipment and techniques available and update the code to incorporate such equipment and techniques. The changes shall be made available for public review and comment no later than June 1 of the year prior to code implementation. The term "cost-effective," for purposes of this part, shall be construed to mean cost-effective to the consumer.

Section 5. Section 553.904, Florida Statutes, is amended to read:

553.904 Thermal efficiency standards for new nonresidential buildings.—Thermal designs and operations for new nonresidential buildings for which building permits are obtained after March 5, 1974, shall take into account exterior envelope physical characteristics, HVAC system selection and configuration, HVAC equipment performance, and service water heating design and equipment performance and shall not be required to meet standards more stringent than the provisions of the Florida Model Energy Efficiency Code for Building Construction.
Section 6. Section 553.905, Florida Statutes, is amended to read:

553.905 Thermal efficiency standards for new residential buildings.—Thermal designs and operations for new residential buildings for which building permits are obtained after March 15, 1979, shall take into account exterior envelope physical characteristics, HVAC system selection and configuration, HVAC equipment performance, and service water heating design and equipment selection and shall not be required to meet standards more stringent than the provisions of the Florida Model Energy Efficiency Code for Building Construction. All new residential buildings, except those herein exempted, shall have insulation in ceilings rated at R-19 or more, space permitting. Thermal efficiency standards shall not apply to a building of less than 1,000 square feet the primary use of which is not as a principal residence and which is constructed and owned by a natural person for hunting or similar recreational purposes; however, no such person may build more than one exempt building in any 12-month period.

Section 7. Section 553.906, Florida Statutes, is amended to read:

553.906 Thermal efficiency standards for renovated buildings.—Thermal designs and operations for renovated buildings for which building permits are obtained after March 15, 1979, shall take into account insulation, windows, HVAC systems and performance, and service water heating design and equipment selection and shall not be required to meet standards more stringent than the provisions of the Florida Model Energy Efficiency Code for Building Construction. These standards shall apply only to the portions of the structure which are actually renovated.

CODING. Words in italics are deletions from existing law. Words underlined are additions.
Section 8. Subsection (c) of section 553.09, Florida Statutes, is amended to read:

553.902 Setting requirements for appliances—

exceptions.

(1) Water heaters sold after October 1, 1989, for residential use shall be installed with a heat trap and shall have the thermostat set at 110°F or whatever minimum the unit is capable of if it exceeds 120°F.

8. Electrical water heaters shall have a standby loss not exceeding 1 watt per square foot of tank surface per hour, equipped with resistance elements on the primary heat source, shall be installed with a 5-hour timer, and the timer requirements of this subsection shall not apply to any electrical water heater that is a standby loss at which does not exceed 1 watt per square foot of tank surface per hour.

Water heaters fueled by natural gas or liquid petroleum gas in any form are sold or installed after March 1, 1989, shall have a recovery efficiency of 60 percent or more and a standby loss of 3.5 watts per hour not exceeding the number determined by J.L. = 0.07 by the volume of the tank in gallons and adding an index to 94.

Section 3. Pursuant to Section 3, Florida Statutes, is amended to read:

553.22 Air conditioners.-- Air conditioners sold or installed in the state shall meet the minimum efficiency ratings of the Florida Model Energy Efficiency Code for Building Construction. These minimum ratings shall be the minimums and may be updated in the Florida Model Energy Still comply with an att. Co., structure, by the department in accordance with § 415.2, following its determination that...
more cost-effective energy-saving equipment and techniques are available.

Section 10. This act shall take effect upon becoming a law.

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HOUSE SUMMARY

Updates various components of the minimum electrical standards and State Minimum Building Codes. Expands the scope of local and state building codes. Requires mobile homes used as temporary offices to comply with provisions relating to accessibility by handicapped persons. Authorizes the Board of Building Codes and Standards to amend the State Minimum Building Codes. Expands the authority of the board to issue opinions relating to the interpretation, enforcement and administration of building codes. Changes temperature setting and standby loss requirements for water heaters. Renames the Florida Model Energy Efficiency Code for Building Construction as the Florida Energy Efficiency Code for Building Construction.