



## 2017 **LEGISLATIVE SESSION** AT A GLANCE

### **FHBA BILLS THAT PASSED**

#### **Building Code Process - Workforce Task Group- Building Code Administrators & Inspectors Alternative Licensing**

- All of these FHBA priorities were put into one bill, HB 1021 by Representatives Avila and McClain and Senators Perry and Lee. Effective Date: July 1, 2017. The building code process changes require the Florida Building Commission to use Florida's code as the foundation and then review and update considering model changes recommended by the ICC and other national code organizations.

#### **Estoppel Certificates**

- SB 398 by Senator Passidomo and Representative Donaldson reduces the costs associated with obtaining an estoppel certificate. The bill includes steep discounts for bulk estoppel certificates of 25 or more.

#### **Building Code Surcharge & Licensure Delinquency Fee Reduction**

- HB 741 by Representative Trumbull and Senator Stargel reducing the surcharge that DBPR assesses on building permits by ½%.

#### **Public Notification of Pollution Spills (this one can go if space is an issue)**

- SB 1018 by Senators Grimsley and Galvano and Representatives Edwards and Peters, defining the term reportable pollution release (limited to substances for which a storage permit must be received) and placing the burden on DEP to report such releases to the press. This is in-lieu of requiring the small business to notify the press as proposed by an earlier rule.

#### **Injured Worker Public Record Exemption**

- HB 1107 by Rep. Albritton and Senator Perry exempts from public record personal information of injured or deceased workers. This means trial attorneys will no longer be able to access the personal information of injured workers and market the idea of a lawsuit.

#### **Appropriations**

- Sadowski Trust Fund - \$100,000,000
- Unlicensed Activity - \$250,000 additional funding
- Florida Gulf Coast University Construction Management Program – Included in the Closing the Talent Gap funding of \$1.7 million.



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### **BAD PROPOSALS STOPPED BY FHBA**

#### **Mandatory Carbon Monoxide Detectors in Carports and other Parking Facilities**

- The FHBA expressed concern over a bill that would have required carbon monoxide detectors in carports and other parking facilities. We already require them in enclosed garages. No need for them in a carport in which at least two sides are open. The bill was eventually withdrawn from consideration.

#### **Requiring General Contractors to Get another License to Repair Water Damage**

- In an attempt to address the assignment of benefits issue, one Senate Bill was written in such a manner that it required a specific license to perform water restoration services. The bill was written so broad, that even a licensed General Contractor would have had to get a second license. Once FHBA presented the issue to the bill's sponsor, he amended the bill at the first committee to fix the issue. The bill eventually died.

#### **Requiring Small Businesses to Report Spills to the Press**

- Prior to the start of the 2017 Session, the Department of Environmental Protection attempted to pass a rule which required all spills impacting public health to be reported to the Department and to the press. The small business would have to determine if the spill impacted public health and would have been responsible to report to the spill to the press. Legislation (SB 1018) was passed this year which limits the reported spills to those for which a storage permit is required and the Department reports certain spills to the press.

#### **Requiring Mandatory HOA Reserves for Replacement of All Capital Projects**

- A proposal was brought forth which would have required every HOA to maintain enough reserves for full replacement of all capital projects, including roads, golf courses and common buildings. You can imagine the impact on development such a requirement would have. Fortunately, the bill's sponsor was very willing to work with the FHBA. At first, we amended the proposal to provide an opt-out provision and that only maintenance costs would be considered. After much deliberation, the provision was removed in its entirety.

#### **Creating a Licensure Violation for Referring Insurance Work**

- A bill was filed which creates a licensure violation if you were to accept remuneration for referring work in which property insurance was payable. This would have applied even if you did not know property insurance was involved and would have included such things as if you annually send a Christmas goody to business associates. Fortunately, the bill was never heard.