

MEMORANDUM

From: Rusty Payton, FHBA CEO/Chief Lobbyist

Re: Special Session Update

Yesterday, the Budget conference reports were officially delivered to all members of the Florida Senate and the Florida House. This action officially tolls the clock and begins the constitutionally mandated 72 hour “cooling off period” prior to the legislature approving the budget. Listed below are the budget priorities of the FHBA and their status in the conference report. Please note, legislator’s cast either a yea or nay vote on conference reports. Floor amendments to conference reports are not allowed.

The conference report was distributed officially at 5:37 PM EST. The information below is “hot-off-the-presses” and what we can immediately ascertain about our major priorities.

- **Building Code Delay for Blower Door Testing, Mechanical Ventilation and High-rise Secondary Fire Elevators:** The implementing bill contains language delaying all three provisions until June 30, 2016. FHBA lobbied for a delay until April 1, 2016, but legislative staff writing the budget insisted the delay last for the duration of the implementing bill (1 year). The delay is tied to a budget item allocating up-to \$35,000 to study the economic consequences of these three issues.
- **Future Builders of America:** The budget includes funding of \$250,000 for Future Builders of America.
- **Sadowski Funding:** Total funding for Sadowski is \$171 million.
- **Septic Tank Study:** \$10,000 has been allocated to the study with language prohibiting the Department from passing rules until the study is completed. We asked for \$500,000. FHBA Lobbyists will be following up to ascertain the purpose of the allocated amount.
- **Building Code Compliance and Mitigation Program:** \$925,000 was provided. This helps fund the for the Building a Safer Florida Grants. This is “full funding”
- **Unlicensed Contractor Activity Enforcement:** \$250,000, the same as last year.

Once officially adopted by the legislature Friday evening, the budget is subject to gubernatorial approval. We expect him to act quickly and will send an alert to the members about e-mailing the

Governor in support of delaying blower door testing, mechanical ventilation and high-rise secondary fire elevators.

Please keep in mind, the provisions in the bill are only a delay of three specific building code sections. The remainder of the code will become effective June 30, 2015. Do not forgo education on the remainder of the code and take the opportunity now to be educated on best building practices to ensure passage of the blower door test, which will be required effective June 30, 2016.

Members have expressed concerns about other provisions of the code.

- **Stucco:** One of the many provisions in the 2015 code, effective June 30, references ASTM 926, *Standard Specifications for Application of Portland Cement-Based Plaster* and contains new requirements specifying minimum curing times between stucco applications. These requirements appear to be in conflict. FHBA will be seeking a declaratory statement resolving this issue and clarifying that the ASTM 926 standard can be used at the earliest possible opportunity (the August meeting of the Florida Building Commission).
- **Zero-Lot-Lines:** The code requires certain fire resistant materials or sprinklers. These provisions dramatically impact those zero-lot-line communities which have already been platted. The FHBA Governmental Affairs Committee and the Codes Task Force will both meet during SEBC and discuss a potential fix. A fix may be possible by petitioning your local building officials.

If you have any questions regarding anything contained in this update or any other issue not discussed, feel free to contact me either via e-mail at rpayton@fhba.com or on my cell at (850) 567-1073.