

2007 Legislative Session Results

Bill	Legislative Summary of Bill	Results and brief summary of BOAF issues.	Effective Date
HB231	A bill to be entitled An act relating to building code administrators and inspectors; creating s. 468.6215, F.S.; requiring certain disciplinary records and proceedings held by the Department of Business and Professional Regulation to be open to the public within a specified time period after legal sufficiency is determined; providing an effective date.	Bill died in Jobs & Entrepreneurship Council:  This bill would have allowed complaints against 468 licensee to become public record prior to determining if probable cause existed.	None
HB319	An act relating to building code inspectors; creating s. 468.634, F.S.; providing that a certified building code inspector needs no other licensure or certification to perform as a building code inspector; amending s. 553.73, F.S.; prohibiting local governments from adopting amendments to the Florida Building Code that conflict with the requirements of s. 468.634, F.S.; providing an effective date.	Bill died in Committee on Business Regulation:  This bill would have limited local governments ability to establish hiring standards beyond the minimum licensing requirements of the State.	None
SB404	An act relating to the housing and construction industry; amending s. 468.609, F.S.; providing additional eligibility requirements for a person to take the examination for certification as a building code inspector or plans examiner; revising a reference to the organization administering certain examinations; amending s. 468.617, F.S.; authorizing certain limited certificateholders to provide services to specified jurisdictions; amending s. 468.619, F.S.; providing for the application of the building code enforcement officials' bill of rights to certain disciplinary investigations and proceedings; amending s. 468.621, F.S.; providing for disciplinary proceedings for violations involving failure to follow building code or permit requirements, obstructing an investigation, and accepting services at a noncompetitive rate from any person whose work is under the enforcement authority of the official, under certain circumstances; amending s. 468.627, F.S.; providing requirements for continuing education in ethics; requiring a new certificateholder to provide proof of completion of certain curriculum courses; removing provisions relating to an option of taking an equivalency test in lieu of taking core curriculum classes; amending s. 489.115, F.S.; requiring applicants for initial issuance circumstances; amending s. <a href="#">468.627</a> , F.S.; providing requirements for continuing education in ethics; requiring a new certificateholder to provide proof of completion of certain curriculum courses; removing provisions relating to an option of taking an equivalency test in lieu of taking core curriculum classes; amending s. <a href="#">489.115</a> , F.S.; requiring applicants for initial issuance of a certificate or registration as a contractor to submit to criminal history records checks; requiring the Department of Business and Professional Regulation to submit the requests for	Passed by Senate and House:  <ul style="list-style-type: none"> <li>• 468.609 Paves the way for BCAIB rulemaking to allow for training in lieu of experience. This was a BOAF initiative to create a training academy.</li> <li>• 468.617 Allows individuals with limited licenses in small counties (150K) to assist another jurisdiction within a small county.</li> <li>• 468.619 Makes modifications to the Building Code Officials Bill of Rights. Can't use it if the complaint is against some other license you hold.</li> <li>• 468.621 Make clarifications and add to the list of items a license holder can be disciplined for.</li> <li>• 468.627 Requires 3 hours of the required 14 hours of continuing education be on state law, rules, and ethics. The Board by rule already require 2 hours on state law and rules so this only adds 1 hour to take in ethics. Also requires proof of completion of core curriculum with 2 years of obtaining license. Current law actually required it prior to obtaining license.</li> <li>• 489.113 clarifies the allowance for the uses of "Master Design Manuals"</li> <li>• 489.115 Requires criminal history checks and establishes net worth requirements for licensure.</li> </ul>	July 1, 2007 Requires Signature of Governor

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SB404 Cont.	<p>criminal history records check to the Department of Law Enforcement; requiring the Department of Law Enforcement to return the results to the department; authorizing the Construction Industry Licensing Board to deny licensure to certain applicants; specifying matters the board must consider concerning licensure; prohibiting the denial of licensure based solely on a felony conviction or the status of the civil rights of the applicant; specifying that guidelines for determining financial stability may include minimum requirements for net worth, cash, and bonding; providing that a portion of financial requirements may be met by completing specified coursework;</p> <p>creating s. 553.382, F.S.; authorizing the placement of residential manufactured buildings that are certified by the Department of Community Affairs on certain mobile home lots; providing for application of state law governing mobile home park lot tenancies to any such housing unit placed on a mobile home lot; requiring the written approval of the owner of a mobile home park before the placement of any such housing unit on a mobile home lot; providing for taxation of such housing units as mobile homes; providing for payments to the Florida Mobile Home Relocation Trust Fund under certain circumstances;</p> <p>amending s. 489.113, F.S.; prohibiting the prevention of a licensed engineer or architect from contracting directly with a licensed contractor for the preparation of plans, specifications, or a master design manual when making an application for a building permit; prohibiting the requirement of site-specific drawings, specifications, or plans for certain structures; authorizing local code enforcement agencies to accept or reject plans prepared by certain persons; defining the term "master design manual"; providing requirements regarding the preparation of such manuals; requiring that a master design manual contain certain information; requiring that such manuals be peer reviewed by a licensed engineer or architect who meets certain criteria; requiring that the reviewer be identified in the manual; providing that a licensed engineer or architect is not required for the preparation or use of certain design guides; exempting certain existing warehouses from requirements in the Florida Building Code concerning fire protection under certain conditions; providing an effective date.</p>		

2007 Legislative Session Results

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HB1285	<p>amending s. 713.16, F.S.; requiring a statement of account be under oath; revising provisions relating to a lienor's right to demand a statement of account; requiring that the claim of lien be recorded; deleting provisions relating to the failure to furnish the statement;</p> <p>amending s. 713.18, F.S.; providing procedures for service of notices and other instruments upon a limited liability company;</p> <p>amending s. 41 713.22, F.S.; extending the duration of certain liens for which amended claims of lien are filed; amending s. 43 713.31, F.S.; providing for the award of attorney's fees and costs to prevailing parties in certain actions relating to fraudulent liens;</p> <p>repealing s. 713.36, F.S., relating to an effective date, to delete an obsolete provision;</p> <p>providing an effective date.</p>	<p>Passed by Senate and House</p> <ul style="list-style-type: none"> <li>713.13 requires additional language on notice of commencement, building permit application, and permit card with regard to tax folio number the requirement that the notice of commencement be posted on the job prior to the first inspection and reduces the print size required on the permit card from 18-point to 14-point. It should be noted that there is no language added to require that the building department verify that the notice of commencement is actually posted.</li> </ul>	<p><b>July 1, 2007</b> Requires Signature of Governor</p>
SB1822	<p>An act relating to carbon monoxide detectors;</p> <p>amending s. 509.211, F.S.; requiring that certain public lodging establishments be equipped with carbon monoxide sensor devices; specifying approved types of devices; providing requirements for the installation of such devices;</p> <p>creating s. 553.885, F.S.; requiring that certain buildings constructed on or after a specified date be equipped with carbon monoxide alarms; providing requirements for the installation of such devices; requiring the Florida Building Commission to adopt rules; providing definitions; providing an effective date.</p>	<p>Passed by Senate and House:</p> <ul style="list-style-type: none"> <li>Section 509.211 requires CO detectors in any existing boiler room in public lodging establishments. This is a Hotel and Restaurant issue not ours.</li> <li>Section 553. 885 requires that a CO detector be installed within 10 feet of each sleeping room when the building has a fossil-fuel-burning heater or appliance, a fireplace, or and attached garage. The effective date on this requirement is July 1, 2008. This will be ours. Might want to buy stock in CO detector manufacturing companies.</li> </ul>	<p><b>June 1, 2007 &amp; June 1, 2008</b> Requires Signature of Governor</p>

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Bill	Legislative Summary of Bill	Results and brief summary of BOAF issues.	Effective Date
SB2234	<p>An act relating to regulation of building inspection professionals; amending s. 634.301, F.S.; redefining the terms "home warranty" or "warranty" for purposes of part II of ch. 634, F.S., relating to home warranty associations; creating pt. XV of ch. 468, F.S., relating to regulation of home inspectors; providing a purpose; providing exemptions; providing definitions; authorizing the Department of Business and Professional Regulation to establish fees; limiting fee amounts; providing for a home inspector licensure examination; providing qualifications to take the licensure examination; providing requirements for the department to certify and license home inspectors; providing for licensure by endorsement; requiring continuing education for license renewal; providing criteria for continuing education; providing for inactivation of licenses; requiring the department to establish fees for the reactivation and renewal of inactive licenses; providing for certification of partnerships and corporations offering home inspection services; requiring a certificate of authorization for certain persons and entities practicing home inspection services; providing for prohibitions and penalties; providing grounds for disciplinary proceedings; authorizing the department to impose specified penalties; requiring home inspectors to provide a specified disclosure to consumers; requiring home inspectors to maintain a specified insurance policy; requiring home inspectors to provide a written report to homeowners upon completion of each home inspection; providing content requirements for home inspection reports; authorizing certain persons to qualify for home inspection licensure notwithstanding the requirements of this part;</p> <p>creating pt. XVI of ch. 468, F.S., relating to regulation of mold remediators and mold assessors; providing a purpose; providing exemptions; providing definitions; authorizing the department to establish fees; limiting fee amounts; providing for a mold assessor and mold remediator licensure examination; providing qualifications to take the licensure examinations; providing requirements for the department to certify and license home inspectors; providing for licensure by endorsement; requiring continuing education for license renewal; providing criteria for continuing education; providing for inactivation of licenses; requiring the department to establish fees for the reactivation and renewal of inactive licenses; providing for certification of partnerships and corporations offering mold assessment or mold remediation services; requiring a certificate of authorization for certain persons and entities practicing home inspection services; providing for prohibitions and penalties; providing grounds for disciplinary proceedings; authorizing the department to impose specified penalties; requiring mold assessors and mold remediators to maintain specified insurance policies; providing requirements for contracts to perform mold assessment or mold remediation; authorizing certain persons to qualify for mold assessment and mold remediation licensure notwithstanding the requirements of this part;</p> <p>providing an effective date.</p>	<p>Passed by House and Senate</p> <p>This bill for the first time regulates home inspectors and mold remediation inspectors. BOAF may in future sessions think about exempting BCAIB licensed inspectors from this license requirement. There is time for discussion on this since the effective date is not until July 1, 2010.</p>	<p><b>July 1, 2010</b> Requires Signature of Governor</p>

2007 Legislative Session Results

Bill	Legislative Summary of Bill	Results and brief summary of BOAF issues.	Effective Date
SB 2498	<p>An act relating to hurricane preparedness and insurance; amending s. 163.01, F.S.; correcting a cross-reference; amending s. 215.555, F.S.; revising certain reimbursement contract requirements; deleting an expiration provision relating to obtaining coverage for liquidated insurers; delaying repeal of an exemption of medical malpractice insurance premiums from emergency assessments; revising criteria, requirements, and limitations on temporary emergency options for additional coverage under the Florida Hurricane Catastrophe Fund; amending s. 215.5595, F.S.; providing that domestic and other insurers writing only manufactured housing policies are eligible to receive a surplus note in a specified amount; revising prioritization of certain insurers in receiving funds; providing a definition; amending s. 624.407, F.S.; revising an insurer criterion for capital funds requirements for new insurers; amending s. 626.914, F.S.; revising the definition of the term "diligent effort"; amending s. 626.916, F.S.; providing requirements for insurance coverage eligible for export for residential property risks; requiring that the insured be notified that coverage may be available from Citizens Property Insurance Corporation; amending s.30 626.9201, F.S.; revising requirements concerning cancellation for nonpayment of premium of policies providing coverage for property, casualty, surety, or marine insurance; defining the term "nonpayment of premium"; providing that certain contracts or contractual obligations concerning such coverage are void under specified conditions; requiring the refund of certain premiums received by an insurer; amending s. 627.0613, F.S.; limiting application of certain annual report card preparation powers of the consumer advocate to personal residential property insurers; amending s. 627.062, F.S.; specifying application of certain "file and use" requirements to property insurance only; excluding certain motor vehicle coverages; providing that certain interest paid by an insurer may not be included in rate base or used to justify a rate or rate change; amending s. 627.0655, F.S.; revising criteria for certain inclusion of discounts in certain premiums; amending s. 627.351, F.S.; revising legislative findings to provide a finding that the lack of affordable property insurance threatens the public health, safety, and welfare and threatens the economic health of the state; revising provisions for determining eligibility for coverage under Citizens Property Insurance Corporation; limiting application of the term "subject lines of business" to deficit assessments; revising a provision for determining eligibility of a risk for coverage; providing requirements for determining comparable coverage; specifying the sections of ch. 112, F.S., relating to the code of ethics for political subdivisions of the state, which apply to employees, senior managers, and members of the board of the corporation; revising requirements relating to senior management employees and members of the board of governors;</p>	<p>Passed Senate and House.</p> <ul style="list-style-type: none"> <li>While this is primarily an insurance bill, Section 26 allows for exceptions to the Section 9 of the special session requirement for opening protectives adopted into law earlier this year. Specifically any permit that was issued or pending after January 1, 2007 and before June 1, 2007 can use the internal design option provided in Section 1609.1.4.1 of the Florida Building Code. So basically any permits that were issued not in compliance with the Section 9 of Florida Law 2007-1 would now be in compliance.</li> </ul>	<p><b>Upon becoming law.</b> Requires Signature of Governor</p>

2007 Legislative Session Results

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SB2498 Cont.	<p>amending s. 627.3511, F.S.; correcting a cross-reference;</p> <p>amending s. 627.3515, F.S.; revising criteria for an electronic database for a business plan;</p> <p>amending s. 627.3517, F.S.; deleting a provision specifying nonapplication for a certain period;</p> <p>amending s. 627.4035, F.S.; revising a premium payment plan option provision for certain insurers;</p> <p>amending s. 627.4133, F.S.; specifying requirements for notices of nonrenewal and renewal of property insurance policies; authorizing the Financial Services Commission to adopt rules;</p> <p>amending s. 627.701, F.S.; revising requirements for deductibles for certain personal lines residential property insurance policies;</p> <p>amending s. 627.70131, F.S.; revising provisions relating to when an insurer must pay a claim; providing conditions under which interest must be paid; providing a definition; providing for nonapplication to certain claims;</p> <p>amending s. 627.712, F.S.; limiting application of certain residential windstorm coverage requirements to property insurance policies; specifying separate coverage exclusion statements for policyholders that are natural persons and other than natural persons; specifying a period of application of certain exclusions; providing for implementation of changes to certain exclusions;</p> <p>amending s. 627.7277, F.S.; deleting certain notice of renewal premium requirements; deleting authority of the commission to adopt rules;</p> <p>amending s. 631.52, F.S.; expanding an exception to application to self-insurance of provisions relating to Florida Insurance Guaranty of Payments;</p> <p>amending s. 631.57, F.S.; revising certain emergency assessment provisions relating to insurers rendered insolvent by the effects of hurricanes;</p> <p>amending s. 631.695, F.S.; deleting provisions limiting application of certain revenue bond issuance authority to certain counties;</p> <p>creating s. 1004.647, F.S.; creating the Florida Catastrophic Storm Risk Management Center at Florida State University; providing purposes; providing responsibilities of the center; prohibiting issuance of new certificates of authority to certain insurers; requiring rate filings of certain insurers to include certain parent company profits information; providing that the internal design option of the Florida Building Code remains in effect until a specified date for a building permit application made before that date, notwithstanding provisions of ch. 2007-1, Laws of Florida; providing for effect and for retroactive application; applying the act to any actions taken with respect to a building permit affected by such prior act;</p> <p>creating the Citizens Property Insurance Corporation Mission Review Task Force; providing purposes; requiring a report; providing report requirements; providing for appointment of members; providing responsibilities; specifying service without compensation; providing for reimbursement of per diem and travel expenses;</p> <p>providing meeting requirements; requiring the corporation to assist the task force; providing for the expiration of the task force; requiring the Department of Financial Services to provide information, facilities, and assistance to the task force necessary to carry out its purposes; providing an appropriation; providing effective dates.</p>		

2007 Legislative Session Results

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SB2688	<p>A bill to be entitled an act relating to premium discounts for windstorm loss mitigation; requiring the Florida Building Commission to conduct a study that updates the evaluation of loss relativities and the resulting discounts, credits, and rate differentials for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented; allocating a specified sum from the Florida Comprehensive Hurricane Damage Mitigation Program to fund the study; providing examples of fixtures and construction techniques that qualify for the study; requiring the commission to deliver a final report on the results of its study to certain state officials on or before a specified date; requiring the Office of Insurance Regulation to assist the commission with the development of the study upon the commission's request; providing an effective date.</p>	<p>Died in Committee on Community Affairs</p>	<p>None</p>
SB 2836	<p>An act relating to the Florida Building Commission; requiring the commission to review the requirements in the National Electrical Code which relate to bonding and grounding systems for swimming pools; authorizing the commission to adopt a rule for bonding and grounding which is an alternative to that of the National Electric Code; requiring the commission to make certain determinations before eliminating gravel and stone roofing systems; amending s. 468.609, F.S.; increasing the number of days a newly employed person can be a plan examiner or building inspector without certification; amending s. 553.73, F.S.; authorizing the commission to approve certain amendments to the code; amending s. 553.775, F.S.; providing that, upon written application by substantially affected persons, the Florida Building Commission must issue, or cause to be issued, a formal interpretation of the code; amending s. 553.791, F.S.; defining terms; requiring that certain forms be signed at the completion of a required inspection; requiring that a deficiency notice be posted at the job site whenever an element is found to be not in conformance with the building code or the permitting documents; providing for corrective actions; prohibiting the charging of certain fees; amending s. 553.841, F.S.; providing legislative intent regarding education and outreach for understanding the Florida Building Code; requiring the Department of Community Affairs to administer a compliance and mitigation program; requiring that the compliance and mitigation program be provided by a private, nonprofit corporation under contract with the department; requiring the department to consider certain criteria when selecting the corporation; deleting a requirement that the commission approve certain advanced modules; requiring the commission to provide certain courses to accredit persons subject to the building code; authorizing the commission to adopt rules;</p>	<p>Passed by Senate and House</p> <ul style="list-style-type: none"> <li>• Requires that the Florida Building Commission review the swimming pool bonding requirement and provides a permissible method of bonding pools until such time as the commission develops a rule addressing the issue.</li> <li>• 468.609 Increases the number of days a newly employed person can perform work as an inspector or plans examiner once an application for provisional certification is submitted from 90 to 120 days.</li> <li>• 553.73 (7)(d) Provides for formal interpretations of the Florida Building Code by substantially affected parties. This process does not have to go before a local appeals board.</li> <li>• 553.791 Modification were made to the "Private Provider" law to further clarify the requirements.</li> <li>• 553.841 A Florida Building Code Compliance and Mitigation Program is created. DCA is required to contract with a private, non-profit corporation to provide the required services. BOAF could be a major player in this if they so desire.</li> <li>• Requires that the commission review the Florida Energy Code in comparison to the International Energy Code and ASHRA 90,1 &amp; 90.2 in consultation with various organizations, BOAF being one.</li> </ul>	<p>Upon becoming Law. Requires Signature of Governor</p>

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SB2836 Cont.	<p>amending s. 553.842, F.S.; providing for certification of products; authorizing the commission to impose penalties for violation of the product validation process; amending s. 633.081, F.S.; deleting the requirement that a certified firesafety inspector be a resident of Florida; requiring that a firesafety inspector be 18 years of age or older; establishing grounds under which an inspector's license may be suspended or revoked;</p> <p>amending s. 633.521, F.S.; providing for provisional permits for inspectors of certain fire protection systems; providing a time limitation for such permits;</p> <p>amending s. 633.537, F.S.; revising continuing education requirements; requiring the commission to review certain modifications recommended by the commission's technical advisory committee; authorizing the commission to adopt or modify the modifications in response to public comments; authorizing the commission to adopt provisions preserving the use of gravel roof systems; directing the commission to work with others to review the Florida Energy Code and to compare that code to other energy efficiency codes; requiring the commission to deliver a report to the Legislature by a specified date; providing an appropriation;</p> <p>providing an effective date.</p>		

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HB7057	<p>An act relating to hurricane damage mitigation; amending s. 215.5586, F.S.; redesignating the Florida Comprehensive Hurricane Damage Mitigation Program as the "My Safe Florida Home Program"; providing additional duties of the Department of Financial Services; providing additional legislative intent; revising criteria and requirements for hurricane mitigation inspections; requiring the department to contract with certain entities to provide hurricane mitigation inspections; revising the requirements for such inspections; providing for a hurricane resistance rating scale as adopted by the Financial Services Commission; revising the requirements for an entity to be selected by the department to perform inspections; providing requirements for a homeowner with respect to applying for an inspection; revising requirements for mitigation grants; authorizing inspectors to participate as contractors under certain circumstances; limiting the purposes for which a grant may be used; providing for priorities of grants; requiring the department to develop a grant applications verification and collection process; requiring the department to transfer certain appropriated funds to Volunteer Florida Foundation, Inc., for certain purposes; specifying duties of Volunteer Florida Foundation, Inc.; authorizing the department to undertake a statewide consumer information campaign; requiring the advisory council to advise and assist the department in administering the program; expanding the department's authorization to enhance financial resource funding of the program; revising the department's rulemaking authority; deleting provisions authorizing the department to contract with not-for-profit corporations; requiring the department to maintain a list of authorized hurricane mitigation inspectors; authorizing the department to develop a no interest loan program; providing program requirements and limitations; requiring the department to pay certain creditors from funds appropriated for the program; providing loan eligibility criteria; authorizing the department to set aside certain funds for program purposes; requiring the department to adopt rules; providing for public outreach for contractors, real estate brokers, and licensed sales associates; authorizing the department to contract for grants management, inspection services, education outreach, and auditing services; providing additional legislative intent; requiring the department to make annual reports to the Legislature concerning the program; providing report requirements; amending s. 489.115, F.S.; including wind mitigation methodologies under certain continuing education requirements for contractors; amending ss. 4, 39, and 42 of ch. 2006-12, Laws of Florida; providing conforming changes to the redesignation of the Florida Comprehensive Hurricane Damage Mitigation Program; providing legislative intent; requiring the Office of Insurance Regulation, in consultation with the Department of Community Affairs and the Florida Building Commission, to conduct wind-loss mitigation studies; providing requirements for the studies; requiring reports to the Governor, the Legislature, the Chief Financial Officer, and the Commissioner of Insurance Regulation;</p>	<p>Passed by Senate and House:</p> <ul style="list-style-type: none"> <li>• 553.844 Requires that the FBC look a various mitigation requirements relative to storm damage. Requires the FBC to develop and adopt measures for opening protection, gable end bracing, secondary water barriers, roof to wall connections, and roof-deck attachments during re-roofing.</li> <li>• 553.844(3)(c) Requires that any permit issued in a windborne debris region as defined in section 1609.2 of the International Building Code (2006) after July 1, 2008 for a value of \$50,000 or more on a house insured for \$750,000 or more must provide opening protection as required for new construction.</li> </ul>	<p>Upon Becoming Law. Requires Signature of Governor</p>

2007 Legislative Session Results

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SB7057 Cont.	<p><b>creating s. 553.844, F.S.; providing legislative findings concerning the need to prevent property damage caused by hurricanes; requiring the Florida Building Commission to adopt amendments to the Florida Building Code, including requirements for certain buildings constructed before the implementation of the code; providing requirements for such amendments; providing requirements for buildings located in a wind borne debris region;</b>                      amending s. 627.351, F.S.; requiring that a residential structure located in a wind-borne debris region have certain opening protections required under the Florida Building Code in order to be eligible for coverage by the Citizens Property Insurance Corporation; providing appropriations;                      providing an effective date.</p>		
HB7123	<p>An act relating to energy;                      Note: There is 7 pages of legislative summary on this Bill. The portion included below is the portion pertinent to BOAF:</p> <p>directing the Florida Building Commission to convene a workgroup to develop a model residential energy efficiency ordinance; requiring the cost-effectiveness of energy efficiency measures in the construction of residential, commercial, and government buildings; requiring the commission to consult with specified entities to develop and implement a public awareness campaign; requiring the commission to provide reports to the Legislature; requiring all county, municipal, and public community college buildings to meet certain energy efficiency standards for construction;                      providing an effective date.</p>	<p>Passed by Senate and House:</p> <p>This bill gives BOAF as position on the workgroup to develop a model residential energy efficiency code. This is very similar if not the same a the language in SB2836.</p>	<p>July 1, 2007.                      Requires                      Signature of                      Governor</p>