

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB JEC 08-07 Department of Business and Professional Regulation Division of Hotels and Restaurants' Enforcement of the Florida Building Code and the Florida Fire Prevention Code  
**SPONSOR(S):** Jobs & Entrepreneurship Council  
**TIED BILLS:** **IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Jobs & Entrepreneurship Council	17 Y, 0 N	Smith/Topp	Thorn
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

The Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation (DBPR) is charged with protecting the public health, safety, and welfare by enforcing the provisions of ch. 509, F.S., and other laws relating to the inspection and regulation of public lodging establishments and public food service establishments.

Included in these responsibilities is the requirement to provide technical assistance to the Florida Building Commission and the State Fire Marshal when construction standards are being updated and to enforce the Florida Building Code and Florida Fire Prevention Code when conducting inspections of public lodging and public food service establishments.

The bill removes these responsibilities of the division to work with the Florida Building Commission and the State Fire Marshal in updating and enforcing the Florida Building Code and Florida Fire Prevention Code.

This legislation will allow for a reduction in staff and related expenses of up to 3 FTE positions and \$250,000.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government: The bill removes the Division of Hotels and Restaurant's roles of assisting with the development of construction standards and enforcing the Florida Building Code and Florida Fire Prevention Code during inspections.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

Currently, the division is charged with assisting with assisting the Florida Building Commission and State Fire Marshal with updating the Florida Building Code (building code) and Florida Fire Prevention Code (fire code), as they pertain to public food and lodging establishments, and enforcing the building and fire codes during inspections of public food and lodging establishments.

##### Effect of Proposed Changes

The bill removes the requirements for the division to provide assistance to the Florida Building Commission and the State Fire Marshal in updating and enforcing the building and fire codes.

#### C. SECTION DIRECTORY:

Section 1. Amends s. 509.032, F.S., removing the division's involvement with the Florida Building Commission and State Fire Marshal in the development of new standards and the enforcement of the Florida Building Code and Florida Fire Prevention Code.

Section 2. Provides an effective date of July 1, 2008.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

This legislation will not create any new revenues.

##### 2. Expenditures:

The department estimates a reduction in expenditures of up to 3 FTE positions and \$250,000.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None anticipated.

##### 2. Expenditures:

None anticipated.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

This legislation will allow the department to reduce staff up to 3 FTE and associated expenses of approximately \$250,000. The efforts of the division are duplicative of the responsibilities assigned to the State Fire Marshal at the Department of Financial Services.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

N/A

2. Other:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

N/A

D. STATEMENT OF THE SPONSOR

**IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES**