



**FLORIDA**

**One Green Florida**

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## **POSITION STATEMENT ON SENATE BILL 7000**

The U.S. Green Building Council (USGBC) Florida has genuine concerns about SB 7000.

SB 7000 represents a fundamental and major shift in process and intent of past decisions regarding the Florida Building Code (FBC). This bill proposes to make the FBC the foundation code and not the International Code Council's (ICC) family of codes including the International Building Code (IBC) which it has been adopting for several cycles now. It also proposes to eliminate automatic updates from the ICC and require only review and adoption by degrees as deemed necessary.

Our primary concerns include:

- **Florida will not be a leader in building code** -- All other states in the U.S. use some version of ICC codes. By not requiring automatic updates and requiring only a review and the adoption of items only felt necessary, Florida will eventually fall behind the rest of the nation, which will possibly cause obstacles to future growth as well as safety and health issues for Floridians. Florida will no longer be actively advancing the best safety measures for its citizens.
- **Uncertainty, confusion and delay will be added to the code process and market** -- Companies and sectors such as developers, real estate investment trusts, architecture and engineering firms, manufacturers, code officials and cities and counties prefer to know what is coming down the pipe. They like to see what is on the horizon so they can plan ahead and have relative certainty in their decisions. Allowing the FBC to maybe, or maybe not, adopt a provision based on a review will introduce uncertainty, confusion, delay and more cost into the code process and market. Moreover, the administrative provisions such as 45-day notices added to the process will add approximately another two years to the overall code development causing major delays to the whole process.
- **Too many unknowns regarding consequences of this bill** -- There are many standards, federal dollars, and insurance and flood ratings based on the ICC that would be affected by the passage of SB 7000 as currently written. For instance, with ICC/IBC as Florida's foundation code, which has the latest resilient and mitigation standards, Federal Emergency Management Agency (FEMA) automatically knows Florida is up to date on its code. With FBC as the foundation code, FEMA would have to investigate and verify if each claim had adopted the latest code requirements, delaying payments. Per FEMA data, Florida has 35% of U.S. flood insurance policies in the U.S., yet has less than 8% of total claim dollars figures for Florida suggesting the cutting-edge resiliency and mitigation codes are working.

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- **Slowed adoption of innovative solutions, technology and better building alternatives** -- Innovation and technology are rapidly changing, and new solutions and better practices evolve almost daily. It is important for Floridians in economic development and safety and health to have the latest techniques embedded in code.
- **Florida Building Commission does not have the resources, capacity or time to do the same level of assessment as the ICC** -- Current FBC code is 92% ICC code. The ICC has a large pool of diverse experts from many different sectors, more resources and staff, and a transparent, governmental consensus process that puts forward the best scientifically proven practices with safety, health and enforcement in mind. The Florida Building Commission does not have the same resources or capacity to assess all of the new technologies, products and best practices in safety, health, wellness and efficiency. Florida will waste a lot of time and resources taking on ascertaining what should be adopted from the ICC. It is easier to remove non-Florida specific items than create and add in appropriate ones. Adoption of SB 7000 will place an-unnecessary and undue administrative burden on the Commission. *See proposed solution below for reducing current development process burdens.*
- **Inefficiency and financial/administrative burden of the current code development process on the Florida building industry** -- USGBC Florida has many contractors in its membership and we are very pro-business with a triple bottom-line mission. We dislike unnecessary inefficiency. According to Florida Home Builders Association (FHBA) testimony and the Florida Building Commission, the Commission reviews between 200-800 code changes for Florida-specific provisions every code cycle. Though more efficient than addressing 90% of the rest of the code, this seems very inefficient and has a financial and administrative burden to the FHBA/Contracting industry. Per the Building Officials Association of Florida (BOAF), if the automatic sunset of the Florida provisions was removed, this would tremendously lighten these burdens. This solution seems reasonable to USGBC Florida.

Finally, regarding economic development and keeping Florida efficient, according to the U.S. Department of Energy, energy cost savings for Florida resulting from the State updating its commercial and residential building energy codes in accordance with federal law are significant, estimated to be on the order of nearly \$720 million annually by 2030. Major energy savings means more discretionary income in the State for job growth and operational savings.

USGBC Florida believes that there is a reasonable solution to the negative impacts felt by the Florida building industry without giving up the resources and benefits of the ICC code and retaining it as the foundation code for Florida. **We urge elected officials not to support SB 7000 as written and to revise it to include elimination of Florida-specific sunset provisions and keep the ICC as Florida's foundation code.**

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