

Fire Safety in Agricultural Buildings Update 3-18-2015

This morning, March 18th, the House Insurance & Banking Subcommittee considered Rep. Jake Raburn's (R-Valrico) HB 1025 relating to fire safety for agricultural buildings.

At the meeting, Rep. Raburn offered amendment [722861](#) to address drafting issues raised by subcommittee staff.

From the House Subcommittee staff analysis:

"The new exemption added by the bill for nonresidential farm buildings used for mercantile occupancy if the occupancy has no more than 150 person in attendance conflicts with the current exemption where occupancy is limited by the property owner to no more than 35 persons and the structure is not used by the public for direct sales. Because direct sales is a form of mercantile occupancy and the bill creates an exemption from the FFPC for mercantile occupancy, the bill has the effect of eliminating the restriction on direct sales at nonresidential farm buildings with up to 35 persons."

"Additionally, the bill limits exemption for occupancies of no more than 150 persons. The bill does not refer to a building's maximum occupancy loads. Although a building may be exempt with an occupancy of up to 150 persons under this bill, the maximum occupancy load under the National Fire Protection Code may require that the exempt nonresidential farm building decrease the maximum number of persons in attendance below 150 persons, based on the size of the building."

Answering a question, Rep. Raburn said his intention with the bill was to address situations with the least amount of risk, but the amendment offered further protections.

The subcommittee adopted the amendment.

John Pasqualone, FFMIA, testified that his organization was continuing to work with Rep. Raburn on his bill. The Department of Agriculture & Consumer Services and the Florida Farm Bureau Federation testified in favor of the bill.

In discussion, subcommittee members were supportive of the bill. Rep. Neil Combee (R-Auburndale), sponsor of the agritourism bill, HB 569, testified as a prime co-sponsor of HB 1025 for the need to contain and rollback the unreasonable actions of (a few) fire inspectors. As an example, he relayed a story of Santa Fe High School being told they would have to install sprinklers in a batting cage.

HB 1025 passed the Subcommittee unanimously.

As previously reported, the Senate companion SB 1148 passed the Senate Banking & Insurance Committee on March 17th, although with substantial trepidation from committee members.