

26 (d) "Drone port" means an area of nonresidential land or
 27 water which is used or intended for use by a drone delivery
 28 service for the launch and landing of drones.

29 (3) REGULATION.—

30 (c) Except as otherwise expressly provided, a political
 31 subdivision may not withhold issuance of a business tax receipt
 32 to a drone delivery service or enact or enforce an ordinance or
 33 resolution that prohibits a drone delivery service's operation
 34 based on the location of its drone port, notwithstanding part II
 35 of chapter 163 and chapter 205.

36 Section 2. Paragraph (1) is added to subsection (10) of
 37 section 553.73, Florida Statutes, to read:

38 553.73 Florida Building Code.—

39 (10) The following buildings, structures, and facilities
 40 are exempt from the Florida Building Code as provided by law,
 41 and any further exemptions shall be as determined by the
 42 Legislature and provided by law:

43 (1) A drone port as defined in s. 330.41(2).

44
 45 With the exception of paragraphs (a), (b), (c), and (f), in
 46 order to preserve the health, safety, and welfare of the public,
 47 the Florida Building Commission may, by rule adopted pursuant to
 48 chapter 120, provide for exceptions to the broad categories of
 49 buildings exempted in this section, including exceptions for
 50 application of specific sections of the code or standards

51 adopted therein. The Department of Agriculture and Consumer
52 Services shall have exclusive authority to adopt by rule,
53 pursuant to chapter 120, exceptions to nonresidential farm
54 buildings exempted in paragraph (c) when reasonably necessary to
55 preserve public health, safety, and welfare. The exceptions must
56 be based upon specific criteria, such as under-roof floor area,
57 aggregate electrical service capacity, HVAC system capacity, or
58 other building requirements. Further, the commission may
59 recommend to the Legislature additional categories of buildings,
60 structures, or facilities which should be exempted from the
61 Florida Building Code, to be provided by law. The Florida
62 Building Code does not apply to temporary housing provided by
63 the Department of Corrections to any prisoner in the state
64 correctional system.

65 Section 3. Paragraphs (a) and (b) of subsection (16) of
66 section 633.202, Florida Statutes, are amended to read:

67 633.202 Florida Fire Prevention Code.—

68 (16) (a) As used in this subsection, the term:

69 1. "Agricultural pole barn" means a nonresidential farm
70 building in which 70 percent or more of the perimeter walls are
71 permanently open and allow free ingress and egress.

72 2. "Drone port" has the same meaning as provided in s.
73 330.41(2).

74 ~~3.2.~~ "Nonresidential farm building" has the same meaning
75 as provided in s. 604.50.

76 (b) Notwithstanding any other provision of law:

77 1. A nonresidential farm building in which the occupancy
 78 is limited by the property owner to no more than 35 persons is
 79 exempt from the Florida Fire Prevention Code, including the
 80 national codes and Life Safety Code incorporated by reference.

81 2. An agricultural pole barn is exempt from the Florida
 82 Fire Prevention Code, including the national codes and the Life
 83 Safety Code incorporated by reference.

84 3. Except for an agricultural pole barn, a structure on a
 85 farm, as defined in s. 823.14(3)(c), which is used by an owner
 86 for agritourism activity, as defined in s. 570.86, for which the
 87 owner receives consideration must be classified in one of the
 88 following classes:

89 a. Class 1: A nonresidential farm building that is used by
 90 the owner 12 or fewer times per year for agritourism activity
 91 with up to 100 persons occupying the structure at one time. A
 92 structure in this class is subject to annual inspection for
 93 classification by the local authority having jurisdiction. This
 94 class is not subject to the Florida Fire Prevention Code but is
 95 subject to rules adopted by the State Fire Marshal pursuant to
 96 this section.

97 b. Class 2: A nonresidential farm building that is used by
 98 the owner for agritourism activity with up to 300 persons
 99 occupying the structure at one time. A structure in this class
 100 is subject to annual inspection for classification by the local

101 authority having jurisdiction. This class is not subject to the
102 Florida Fire Prevention Code but is subject to rules adopted by
103 the State Fire Marshal pursuant to this section.

104 c. Class 3: A structure or facility that is used primarily
105 for housing, sheltering, or otherwise accommodating members of
106 the general public. A structure or facility in this class is
107 subject to annual inspection for classification by the local
108 authority having jurisdiction. This class is subject to the
109 Florida Fire Prevention Code.

110 4. A drone port is exempt from the Florida Fire Prevention
111 Code, including national codes and the Life Safety Code
112 incorporated by reference.

113 Section 4. This act shall take effect July 1, 2023.