

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1661

Electronic Building Permit Applications

SPONSOR(S): Traviesa

TIED BILLS:

IDEN./SIM. BILLS: SB 1854

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Business Regulation Committee</u>	<u>18 Y, 0 N</u>	<u>Shoemaker</u>	<u>Liepshutz</u>
2) <u>Local Government Council</u>	<u>8 Y, 0 N</u>	<u>Smith</u>	<u>Hamby</u>
3) <u>Commerce Council</u>	<u> </u>	<u> </u>	<u> </u>
4) <u> </u>	<u> </u>	<u> </u>	<u> </u>
5) <u> </u>	<u> </u>	<u> </u>	<u> </u>

SUMMARY ANALYSIS

Currently, applicants who wish to apply for a building permit must submit a paper copy of the form outlined in statute to their local issuing authority. Due to the fact that the applicant is handling a paper application, the application must be obtained at and submitted to the appropriate municipal or county office and must be properly signed with a signature that is notarized under oath.

This bill creates an alternative way to obtain and submit building permit applications: electronic format. Applicants utilizing this option would still be responsible for filling out a building permit application consistent with the paper copy format. The main difference would be that the form could be obtained and submitted electronically rather than the customer needing to visit the appropriate municipal or county office. Additionally, the electronic building permit application submitted to the issuing authority would be required to contain the following additional statement, entitled "Owner's Electronic Submission Statement": "Under penalty of perjury, I declare that all the information contained in this building permit application is true and correct."

This bill has an indeterminate fiscal impact on local governments.

The bill has an effective date of July 1, 2005.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – Counties that wish to provide electronic building permit applications for their constituents would need to implement, update, or maintain computer application software to include web based applications via the municipal or county website and allow submission of the application on the same site.

Safeguard individual liberty – Applicants who live in counties that offer electronic building permit applications will have the option of submitting their building permit application electronically and thereby reduce the need for multiple visits to the municipal or county site.

B. EFFECT OF PROPOSED CHANGES:

Currently, applicants who wish to apply for a building permit must submit a paper copy of the form outlined in s. 713.135(6), F.S., to their local issuing authority, defined in s. 713.135(7), F.S., as “every municipality and county in the state which now has or hereafter may have a system of issuing building permits.” Due to the fact that the customer is handling a paper application, the application must be obtained at and submitted to the appropriate municipal or county office and must be properly signed with a signature that is notarized under oath.

This bill creates an alternative way to obtain and submit building permit applications: electronic format. Applicants utilizing this option would still be responsible for filling out a building permit application consistent with the paper copy format. The main difference would be that the form could be obtained and submitted electronically rather than the customer needing to visit the appropriate municipal or county office. Additionally, the electronic building permit application submitted to the issuing authority would be required to contain the following additional statement, entitled “Owner’s Electronic Submission Statement”: “Under penalty of perjury, I declare that all the information contained in this building permit application is true and correct.” Local issuing authorities will have the option of offering electronic building permit applications.

C. SECTION DIRECTORY:

Section 1 creates s. 713.135(b), F.S., to authorize electronic building permits.

Section 2 provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The fiscal impact on local governments who choose to offer electronic building permits is indeterminate because implementation of the service will impact each county in an individual way. However, a county may be able to save costs on employee salaries if electronic filing makes the permit review process more efficient by an applicant being unable to file an incomplete electronic application or a staff person reviewing applications in an uninterrupted work environment.

2. Expenditures:

The fiscal impact on local governments who choose to offer electronic building permits is indeterminate, because implementation of the service will impact each county in an individual way. Factors a local issuing authority may consider when determining whether to offer electronic building permits include: the volume of permits issued by the authority, whether the number of workers would be increased or reduced to handle such a system, whether the authority has the proper hardware to implement, update, or maintain an electronic permit system, and whether the issuing authority has a website to launch the electronic building permit system from.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. The bill does not reduce the percentage of a state tax shared with counties or municipalities. The bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

None.