

By Senator Constantine

22-1395-05

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A bill to be entitled

An act relating to the electronic submittal of  
an application for a local building permit;  
amending s. 713.135, F.S.; authorizing the  
county or municipality responsible for the  
issuance of certain building permits to accept  
applications that are transmitted  
electronically; providing for the format of an  
electronic application; providing for an  
electronic affidavit by the owner applying for  
the permit; providing penalties for knowingly  
making a false statement in the affidavit;  
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (6) of section 713.135, Florida  
Statutes, is amended to read:

713.135 Notice of commencement and applicability of  
lien.--

(6)(a) In addition to any other information required  
by the authority issuing the permit, the building permit  
application must be in substantially the following form:

Tax Folio No.....

BUILDING PERMIT APPLICATION

Owner's Name.....  
Owner's Address.....  
Fee Simple Titleholder's Name (If other than owner).....  
Fee Simple Titleholder's Address (If other than owner).....

1 City.....  
2 State..... Zip.....  
3 Contractor's Name.....  
4 Contractor's Address.....  
5 City.....  
6 State..... Zip.....  
7 Job Name.....  
8 Job Address.....  
9 City..... County.....  
10 Legal Description.....  
11 Bonding Company.....  
12 Bonding Company Address.....  
13 City..... State.....  
14 Architect/Engineer's Name.....  
15 Architect/Engineer's Address.....  
16 Mortgage Lender's Name.....  
17 Mortgage Lender's Address.....  
18  
19       Application is hereby made to obtain a permit to do the  
20 work and installations as indicated. I certify that no work  
21 or installation has commenced prior to the issuance of a  
22 permit and that all work will be performed to meet the  
23 standards of all laws regulating construction in this  
24 jurisdiction. I understand that a separate permit must be  
25 secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS,  
26 FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.  
27  
28 OWNER'S AFFIDAVIT: I certify that all the foregoing  
29 information is accurate and that all work will be done in  
30 compliance with all applicable laws regulating construction  
31 and zoning.

1  
2           WARNING TO OWNER: YOUR FAILURE TO RECORD A  
3           NOTICE OF COMMENCEMENT MAY RESULT IN YOUR  
4           PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY.  
5  
6           IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH  
7           YOUR LENDER OR AN ATTORNEY BEFORE RECORDING  
8           YOUR NOTICE OF COMMENCEMENT.  
9  
10                                   ...(Signature of Owner or Agent)...  
11   ...(including contractor)...  
12       STATE OF FLORIDA  
13       COUNTY OF ....  
14  
15  
16           Sworn to (or affirmed) and subscribed before me this  
17       .... day of ....., ...(year)...., by ...(name of person making  
18       statement)....  
19  
20                                   ...(Signature of Notary Public - State of Florida)...  
21                                   ...(Print, Type, or Stamp Commissioned Name of Notary  
22       Public)...  
23  
24           Personally Known .... OR Produced Identification ....  
25  
26           Type of Identification Produced.....  
27                                   ...(Signature of Contractor)...  
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30       STATE OF FLORIDA  
31       COUNTY OF ....

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Sworn to (or affirmed) and subscribed before me this  
.... day of ....., ...(year)..., by ...(name of person making  
statement)....

...(Signature of Notary Public - State of Florida)...  
...(Print, Type, or Stamp Commissioned Name of Notary  
Public)...

Personally Known .... OR Produced Identification ....

Type of Identification Produced.....

(Certificate of Competency Holder)

Contractor's State Certification or Registration No.....

Contractor's Certificate of Competency No.....

APPLICATION APPROVED BY  
.....Permit Officer

(b) An authority responsible for issuance of a permit  
under this section may accept a building permit application in  
the electronic format that the authority has prescribed so  
long as the format is consistent with paragraph (a). An  
application that is submitted to the authority electronically  
must contain the following additional statement:

1       OWNER'S ELECTRONIC SUBMISSION AFFIDAVIT: Under  
2       penalty of perjury, I declare that I have read  
3       the foregoing application for a building permit  
4       and that the facts stated in it are true and  
5       correct.

6  
7       The additional statement is in lieu of the requirement in  
8       paragraph (a) that a signed, sworn, and notarized signature of  
9       the owner or agent and the contractor be part of the owner's  
10       affidavit. A person who knowingly makes a false declaration in  
11       the owner's electronic submission affidavit of an  
12       electronically submitted application commits perjury by false  
13       written declaration, a felony of the third degree, punishable  
14       as provided in s. 775.082, s. 775.083, or s. 775.084.

15               Section 2. This act shall take effect July 1, 2005.

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17                               \*\*\*\*\*

18                                       SENATE SUMMARY

19       Authorizes the county or municipality responsible for the  
20       issuance of a building permit to accept an application  
21       transmitted electronically. Provides for the format of  
22       the electronic application, including an electronic  
23       affidavit by the owner applying for the permit. Provides  
24       penalties for a knowingly false statement in the  
25       affidavit.  
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