

By the Committee on Regulated Industries; and Senator
Constantine

580-2266-05

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| 1 | | A bill to be entitled |
| 2 | | An act relating to the electronic submittal of |
| 3 | | an application for a local building permit; |
| 4 | | amending s. 713.135, F.S.; authorizing the |
| 5 | | county or municipality responsible for the |
| 6 | | issuance of certain building permits to accept |
| 7 | | applications that are transmitted |
| 8 | | electronically; providing for the format of an |
| 9 | | electronic application; providing for an |
| 10 | | electronic affidavit by the owner applying for |
| 11 | | the permit; providing penalties for knowingly |
| 12 | | making a false statement in the affidavit; |
| 13 | | requiring that an entity that accepts |
| 14 | | electronic applications provide public Internet |
| 15 | | access to such applications; providing an |
| 16 | | effective date. |
| 17 | | |
| 18 | | Be It Enacted by the Legislature of the State of Florida: |
| 19 | | |
| 20 | | Section 1. Subsection (6) of section 713.135, Florida |
| 21 | | Statutes, is amended to read: |
| 22 | | 713.135 Notice of commencement and applicability of |
| 23 | | lien.-- |
| 24 | | (6)(a) In addition to any other information required |
| 25 | | by the authority issuing the permit, the building permit |
| 26 | | application must be in substantially the following form: |
| 27 | | |
| 28 | | Tax Folio No..... |
| 29 | | BUILDING PERMIT APPLICATION |
| 30 | | |
| 31 | | Owner's Name..... |

1 Owner's Address.....
2 Fee Simple Titleholder's Name (If other than owner).....
3 Fee Simple Titleholder's Address (If other than owner).....
4 City.....
5 State..... Zip.....
6 Contractor's Name.....
7 Contractor's Address.....
8 City.....
9 State..... Zip.....
10 Job Name.....
11 Job Address.....
12 City..... County.....
13 Legal Description.....
14 Bonding Company.....
15 Bonding Company Address.....
16 City..... State.....
17 Architect/Engineer's Name.....
18 Architect/Engineer's Address.....
19 Mortgage Lender's Name.....
20 Mortgage Lender's Address.....

21
22 Application is hereby made to obtain a permit to do the
23 work and installations as indicated. I certify that no work
24 or installation has commenced prior to the issuance of a
25 permit and that all work will be performed to meet the
26 standards of all laws regulating construction in this
27 jurisdiction. I understand that a separate permit must be
28 secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS,
29 FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.
30
31

1 | OWNER'S AFFIDAVIT: I certify that all the foregoing
2 | information is accurate and that all work will be done in
3 | compliance with all applicable laws regulating construction
4 | and zoning.

5 |
6 | WARNING TO OWNER: YOUR FAILURE TO RECORD A
7 | NOTICE OF COMMENCEMENT MAY RESULT IN YOUR
8 | PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY.

9 |
10 | IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH
11 | YOUR LENDER OR AN ATTORNEY BEFORE RECORDING
12 | YOUR NOTICE OF COMMENCEMENT.

13 |
14 | ...(Signature of Owner or Agent)...
15 | ...(including contractor)...

16 | STATE OF FLORIDA
17 | COUNTY OF

18 |
19 |
20 | Sworn to (or affirmed) and subscribed before me this
21 | day of, ...(year)...., by ...(name of person making
22 | statement)....

23 |
24 | ...(Signature of Notary Public - State of Florida)...
25 | ...(Print, Type, or Stamp Commissioned Name of Notary
26 | Public)...

27 |
28 | Personally Known OR Produced Identification

29 |
30 | Type of Identification Produced.....

31 | ...(Signature of Contractor)...

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STATE OF FLORIDA
COUNTY OF

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

1 application that is submitted to the authority electronically
2 must contain the following additional statement:

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

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

18 (c) An authority responsible for issuance of a permit
19 under this section which accepts building permit applications
20 in an electronic format must provide public Internet access to
21 the electronic building permit applications in a searchable
22 format.

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

24
25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
26 COMMITTEE SUBSTITUTE FOR
27 Senate Bill 1854

28 The committee substitute requires that if the permitting
29 authority accepts building permit applications in an
30 electronic format, it must provide public Internet access to
31 the electronic building permit applications in a searchable
format.