

1 A bill to be entitled
 2 An act relating to the Department of Business and
 3 Professional Regulation; amending s. 489.140, F.S.;
 4 clarifying funding requirements for the Florida
 5 Homeowners' Construction Recovery Fund; amending s.
 6 468.631, F.S.; authorizing the department to transfer
 7 certain funds from the Florida Building Code
 8 Administrators and Inspectors Board to the Florida
 9 Homeowners' Construction Recovery Fund; providing an
 10 effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Section 489.140, Florida Statutes, is amended
 15 to read:

16 489.140 Florida Homeowners' Construction Recovery Fund.—
 17 There is created the Florida Homeowners' Construction Recovery
 18 Fund as a separate account in the Professional Regulation Trust
 19 Fund. The recovery fund shall be funded ~~out of the receipts~~
 20 ~~deposited in the Professional Regulation Trust Fund from the~~
 21 ~~one-half cent per square foot surcharge on building permits~~
 22 ~~collected and disbursed~~ pursuant to s. 468.631.

23 Section 2. Subsection (1) of section 468.631, Florida
 24 Statutes, is amended to read:

25 468.631 Building Code Administrators and Inspectors Fund.—

26 (1) This part shall be funded through a surcharge, to be
 27 assessed pursuant to s. 125.56(4) or s. 166.201 at the rate of
 28 1.5 percent of all permit fees associated with enforcement of

29 | the Florida Building Code as defined by the uniform account
30 | criteria and specifically the uniform account code for building
31 | permits adopted for local government financial reporting
32 | pursuant to s. 218.32. The minimum amount collected on any
33 | permit issued shall be \$2. The unit of government responsible
34 | for collecting permit fees pursuant to s. 125.56 or s. 166.201
35 | shall collect such surcharge and shall remit the funds to the
36 | department on a quarterly calendar basis beginning not later
37 | than December 31, 2010, for the preceding quarter, and
38 | continuing each third month thereafter; and such unit of
39 | government shall retain 10 percent of the surcharge collected to
40 | fund the participation of building departments in the national
41 | and state building code adoption processes and to provide
42 | education related to enforcement of the Florida Building Code.
43 | There is created within the Professional Regulation Trust Fund a
44 | separate account to be known as the Building Code Administrators
45 | and Inspectors Fund, which shall deposit and disburse funds as
46 | necessary for the implementation of this part. The proceeds from
47 | this surcharge shall be allocated equally to fund the Florida
48 | Homeowners' Construction Recovery Fund established by s. 489.140
49 | and the functions of the Building Code Administrators and
50 | Inspectors Board. The department may transfer excess funds it
51 | determines are not required to fund the board from the board to
52 | the Florida Homeowners' Construction Recovery Fund.

53 | Section 3. This act shall take effect October 1, 2013.