

ENROLLED

HB 741

2017 Legislature

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2 An act relating to Department of Business and  
3 Professional Regulation fees; amending s. 455.271,  
4 F.S.; revising the delinquency fee that a professional  
5 board or the department imposes on a delinquent status  
6 licensee; amending s. 553.721, F.S.; revising the  
7 surcharge that the department assesses on building  
8 permits; providing an effective date.  
9

10 Be It Enacted by the Legislature of the State of Florida:  
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12 Section 1. Subsection (7) of section 455.271, Florida  
13 Statutes, is amended to read:

14 455.271 Inactive and delinquent status.—

15 (7) Notwithstanding the provisions of the professional  
16 practice acts administered by the department, each board, or the  
17 department when there is no board, shall, by rule, impose an  
18 additional delinquency fee of \$25, ~~not to exceed the biennial~~  
19 ~~renewal fee for an active status license,~~ on a delinquent status  
20 licensee when such licensee applies for active or inactive  
21 status.

22 Section 2. Section 553.721, Florida Statutes, is amended  
23 to read:

24 553.721 Surcharge.—In order for the Department of Business  
25 and Professional Regulation to administer and carry out the

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26 | purposes of this part and related activities, there is created a  
27 | surcharge,~~to be~~ assessed at the rate of 1 ~~1.5~~ percent of the  
28 | permit fees associated with enforcement of the Florida Building  
29 | Code as defined by the uniform account criteria and specifically  
30 | the uniform account code for building permits adopted for local  
31 | government financial reporting pursuant to s. 218.32. The  
32 | minimum amount collected on any permit issued shall be \$2. The  
33 | unit of government responsible for collecting a permit fee  
34 | pursuant to s. 125.56(4) or s. 166.201 shall collect the  
35 | surcharge and electronically remit the funds collected to the  
36 | department on a quarterly calendar basis for the preceding  
37 | quarter and continuing each third month thereafter. The unit of  
38 | government shall retain 10 percent of the surcharge collected to  
39 | fund the participation of building departments in the national  
40 | and state building code adoption processes and to provide  
41 | education related to enforcement of the Florida Building Code.  
42 | All funds remitted to the department pursuant to this section  
43 | shall be deposited in the Professional Regulation Trust Fund.  
44 | Funds collected from the surcharge shall be allocated to fund  
45 | the Florida Building Commission and the Florida Building Code  
46 | Compliance and Mitigation Program under s. 553.841. Funds  
47 | allocated to the Florida Building Code Compliance and Mitigation  
48 | Program shall be \$925,000 each fiscal year. The Florida Building  
49 | Code Compliance and Mitigation Program shall fund the  
50 | recommendations made by the Building Code System Uniform

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51 Implementation Evaluation Workgroup, dated April 8, 2013, from  
52 existing resources, not to exceed \$30,000 in the 2016-2017  
53 fiscal year. Funds collected from the surcharge shall also be  
54 used to fund Florida Fire Prevention Code informal  
55 interpretations managed by the State Fire Marshal and shall be  
56 limited to \$15,000 each fiscal year. The State Fire Marshal  
57 shall adopt rules to address the implementation and expenditure  
58 of the funds allocated to fund the Florida Fire Prevention Code  
59 informal interpretations under this section. The funds collected  
60 from the surcharge may not be used to fund research on  
61 techniques for mitigation of radon in existing buildings. Funds  
62 used by the department as well as funds to be transferred to the  
63 Department of Health and the State Fire Marshal shall be as  
64 prescribed in the annual General Appropriations Act. The  
65 department shall adopt rules governing the collection and  
66 remittance of surcharges pursuant to chapter 120.

67 Section 3. This act shall take effect July 1, 2017.