

Amendment No. a1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Careers & Competition
2 Subcommittee

3 Representative Williamson offered the following:

4

5 **Substitute Amendment for Amendment (206243) by**
6 **Representative Williamson (with title amendment)**

7 Remove everything after the enacting clause and insert:

8 Section 1. Paragraph (c) is added to subsection (4)
9 of section 125.56, Florida Statutes, to read:

10 125.56 Enforcement and amendment of the Florida Building
11 Code and the Florida Fire Prevention Code; inspection fees;
12 inspectors; etc.-

13 (4)

14 (c) Any county authorized under this section or s. 553.80
15 to issue fees shall post its permit and inspection fee schedules

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16 and its inspection utilization report required under s.
17 553.80(7) on its website.

18 Section 2. Section 166.222, Florida Statutes, is
19 amended to read:

20 166.222 Building code inspection fees.—

21 (1) The governing body of a municipality may provide a
22 schedule of reasonable inspection fees in order to defer the
23 costs of inspection and enforcement of the provisions of its
24 building code.

25 (2) The governing body of a municipality authorized under
26 s. 553.80 to issue fees shall post its permit and inspection fee
27 schedules and its inspection utilization report required under
28 s. 553.80(7) on its website.

29 Section 3. Subsection (7) of section 553.80, Florida
30 Statutes, is amended to read:

31 553.80 Enforcement.—

32 (7)(a) The governing bodies of local governments may
33 provide a schedule of reasonable fees, as authorized by s.
34 125.56(2) or s. 166.222 and this section, for enforcing this
35 part. These fees, and any fines or investment earnings related
36 to the fees, shall be used solely for carrying out the local
37 government's responsibilities in enforcing the Florida Building
38 Code. When providing a schedule of reasonable fees, the total
39 estimated annual revenue derived from fees, and the fines and
40 investment earnings related to the fees, may not exceed the

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41 total estimated annual costs of allowable activities. Any
42 unexpended balances shall be carried forward to future years for
43 allowable activities or shall be refunded at the discretion of
44 the local government. The basis for a fee structure for
45 allowable activities shall relate to the level of service
46 provided by the local government and shall include consideration
47 for refunding fees due to reduced services based on services
48 provided as prescribed by s. 553.791, but not provided by the
49 local government. Fees charged shall be consistently applied.

50 1.(a) As used in this subsection, the phrase "enforcing
51 the Florida Building Code" includes the direct costs and
52 reasonable indirect costs associated with review of building
53 plans, building inspections, reinspections, and building permit
54 processing; building code enforcement; and fire inspections
55 associated with new construction. The phrase may also include
56 training costs associated with the enforcement of the Florida
57 Building Code and enforcement action pertaining to unlicensed
58 contractor activity to the extent not funded by other user fees.

59 2.(b) The following activities may not be funded with fees
60 adopted for enforcing the Florida Building Code:

61 a.1. Planning and zoning or other general government
62 activities.

63 b.2. Inspections of public buildings for a reduced fee or
64 no fee.

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65 ~~c.3.~~ Public information requests, community functions,
66 boards, and any program not directly related to enforcement of
67 the Florida Building Code.

68 ~~d.4.~~ Enforcement and implementation of any other local
69 ordinance, excluding validly adopted local amendments to the
70 Florida Building Code and excluding any local ordinance directly
71 related to enforcing the Florida Building Code as defined in
72 subparagraph 1 paragraph (a).

73 ~~3.(e)~~ A local government shall use recognized management,
74 accounting, and oversight practices to ensure that fees, fines,
75 and investment earnings generated under this subsection are
76 maintained and allocated or used solely for the purposes
77 described in subparagraph 1 paragraph (a).

78 ~~4.(d)~~ The local enforcement agency, independent district,
79 or special district may not require at any time, including at
80 the time of application for a permit, the payment of any
81 additional fees, charges, or expenses associated with:

82 ~~a.1.~~ Providing proof of licensure pursuant to chapter 489;

83 ~~b.2.~~ Recording or filing a license issued pursuant to this
84 chapter; or

85 ~~c.3.~~ Providing, recording, or filing evidence of workers'
86 compensation insurance coverage as required by chapter 440.

87 (b) By December 31, 2019, the governing body of a local
88 government with a schedule of reasonable fees shall post its
89 building permit and inspection utilization report on its

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90 website. The report shall be based on the information available
91 in the most recently completed financial audit. Before making
92 any adjustment to the fee schedule, the governing body of a
93 local government shall amend its building permit and inspection
94 utilization report. The report shall include:

95 1. Direct and indirect costs incurred by the local
96 government to enforce the Florida Building Code, including costs
97 related to the review of:

98 a. Building plans.

99 b. Building inspections.

100 c. Building reinspections.

101 d. Building permit processing.

102 e. Building code enforcement.

103 2. Number of building permits requested.

104 3. Number of building permits issued.

105 4. Number of building inspections and reinspections
106 conducted.

107 5. Number of personnel employed by the local government to
108 enforce the Florida Building Code, issue building permits, and
109 conduct inspections.

110 6. Salary and related employee benefit costs incurred by
111 the local government to enforce the Florida Building Code, issue
112 building permits, and conduct inspections.

113 7. Revenue derived from fees pursuant to s. 553.80(7).

114 8. Revenue derived from fines pursuant to s. 553.80(7).

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115 9. Investment earnings derived from the local government's
116 investment of revenue derived from fees and fines pursuant to s.
117 533.80(7).

118 10. Balances carried forward by the local government
119 pursuant to s. 553.80(7).

120 11. Balances refunded by the local government pursuant to
121 s. 553.80(7).

122 Section 4. This act shall take effect July 1, 2018.

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125 **T I T L E A M E N D M E N T**

126 Remove everything before the enacting clause and insert:

127 An act relating to permit fees; amending ss. 125.56
128 and 166.222, F.S.; requiring the governing body of a
129 county and of a municipality to post its permit and
130 inspection fee schedules and building permit and
131 inspection utilization report on its website; amending
132 s. 553.80, F.S.; requiring the governing body of a
133 local government to publish such report and post it on
134 its website; providing reporting requirements;
135 providing an effective date.

136