

Amendment No.

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WITHDRAWN \_\_\_\_\_ (Y/N)  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

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1 Committee/Subcommittee hearing bill: Government Accountability  
2 Committee

3 Representative Williamson offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 125.56 Enforcement and amendment of the Florida Building  
10 Code and the Florida Fire Prevention Code; inspection fees;  
11 inspectors; etc.—

12 (4)

13 (c) The governing body of a county authorized under this  
14 section or s. 553.80 to issue fees shall post its permit and  
15 inspection fee schedules and its building permit and inspection  
16 utilization report required under s. 553.80(7) on its website.

Amendment No.

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

19 166.222 Building code inspection fees.—

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

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

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

30 553.80 Enforcement.—

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

Amendment No.

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

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

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

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

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

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

Amendment No.

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

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

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

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

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

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

86 (b) By December 31, 2019, the governing body of a local  
87 government that provides a schedule of fees shall post its  
88 building permit and inspection utilization report on its  
89 website. The report shall be based on the information available  
90 in the most recently completed financial audit. After December  
91 31, 2019, the governing body of a local government that provides

Amendment No.

92 a schedule of fees shall update its building permit and  
93 inspection utilization report on its website prior to making any  
94 adjustments to the fee schedule. 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).

Amendment No.

115 9. When applicable, investment earnings derived from the  
116 local government's investment of revenue derived from fees and  
117 finances pursuant to s. 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 and 166.222,  
128 F.S.; requiring the governing bodies of counties and  
129 municipalities to post their permit and inspection fee schedules  
130 and building permit and inspection utilization reports on their  
131 websites; amending s. 553.80, F.S.; requiring certain governing  
132 bodies of local governments to post their building permit and  
133 inspection utilization reports on their websites by a specified  
134 date; providing reporting requirements; providing an effective  
135 date.