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CS/CS/HB 7103, Engrossed 3

2019 Legislature

1
2 An act relating to community development and housing;
3 amending s. 125.01055, F.S.; authorizing an
4 inclusionary housing ordinance to require a developer
5 to provide a specified number or percentage of
6 affordable housing units to be included in a
7 development or allow a developer to contribute to a
8 housing fund or other alternatives; requiring a county
9 to provide certain incentives to fully offset all
10 costs to the developer of its affordable housing
11 contribution; providing applicability; amending s.
12 125.022, F.S.; requiring that a county review the
13 application for completeness and issue a certain
14 letter within a specified period after receiving an
15 application for approval of a development permit or
16 development order; providing procedures for addressing
17 deficiencies in, and for approving or denying, the
18 application; providing applicability of certain
19 timeframes; conforming provisions to changes made by
20 the act; defining the term "development order";
21 amending s. 163.3167, F.S.; providing requirements for
22 a comprehensive plan adopted after a specified date
23 and all land development regulations adopted to
24 implement the comprehensive plan; amending s.
25 163.3180, F.S.; revising compliance requirements for a

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26 mobility fee-based funding system; requiring a local
27 government to credit certain contributions,
28 constructions, expansions, or payments toward any
29 other impact fee or exaction imposed by local
30 ordinance for public educational facilities; providing
31 requirements for the basis of the credit; amending s.
32 163.31801, F.S.; adding minimum conditions that
33 certain impact fees must satisfy; requiring a local
34 government to credit against the collection of an
35 impact fee any contribution related to public
36 education facilities, subject to certain requirements;
37 requiring the holder of certain impact fee credits to
38 be entitled to a certain benefit if a local government
39 increases its impact fee rates; providing
40 applicability; providing that the government, in
41 certain actions, has the burden of proving by a
42 preponderance of the evidence that the imposition or
43 amount of certain required dollar-for-dollar credits
44 for the payment of impact fees meets certain
45 requirements; prohibiting the court from using a
46 deferential standard for the benefit of the
47 government; authorizing a county, municipality, or
48 special district to provide an exception or waiver for
49 an impact fee for the development or construction of
50 housing that is affordable; providing that if a

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51 county, municipality, or special district provides
52 such exception or waiver, it is not required to use
53 any revenues to offset the impact; providing
54 applicability; amending s. 163.3202, F.S.; requiring
55 local land development regulations to incorporate
56 certain preexisting development orders; amending s.
57 163.3215, F.S.; providing that either party is
58 entitled to a certain summary procedure in certain
59 proceedings; requiring the court to advance such cause
60 on the calendar, subject to certain requirements;
61 providing that the prevailing party in a certain
62 challenge to a development order is entitled to
63 certain attorney fees and costs; amending s. 166.033,
64 F.S.; requiring that a municipality review the
65 application for completeness and issue a certain
66 letter within a specified period after receiving an
67 application for approval of a development permit or
68 development order; providing procedures for addressing
69 deficiencies in, and for approving or denying, the
70 application; providing applicability of certain
71 timeframes; conforming provisions to changes made by
72 the act; defining the term "development order";
73 amending s. 166.04151, F.S.; authorizing an
74 inclusionary housing ordinance to require a developer
75 to provide a specified number or percentage of

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76 | affordable housing units to be included in a
77 | development or allow a developer to contribute to a
78 | housing fund or other alternatives; requiring a
79 | municipality to provide certain incentives to fully
80 | offset all costs to the developer of its affordable
81 | housing contribution; providing applicability;
82 | amending s. 420.502, F.S.; revising legislative
83 | findings for a certain state housing finance strategy;
84 | amending s. 420.503, F.S.; conforming cross-
85 | references; defining the term "essential services
86 | personnel"; amending s. 420.5095, F.S.; deleting the
87 | definition of the term "essential services personnel";
88 | amending s. 252.363, F.S.; providing that the
89 | declaration of a state of emergency issued by the
90 | Governor for a natural emergency tolls the period
91 | remaining to exercise the rights under a permit or
92 | other authorization for the duration of the emergency
93 | declaration; amending s. 553.791, F.S.; providing and
94 | revising definitions; revising legislative intent;
95 | prohibiting a local jurisdiction from charging fees
96 | for building inspections if the fee owner or
97 | contractor hires a private provider; authorizing the
98 | local jurisdiction to charge a reasonable
99 | administrative fee; revising the timeframe within
100 | which an owner or contractor must notify the building

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101 official that he or she is using a certain private
102 provider; revising the type of affidavit form to be
103 used by certain private providers under certain
104 circumstances; revising the timeframe within which a
105 building official must approve or deny a permit
106 application; specifying the timeframe within which the
107 local building official must issue a certain permit or
108 notice of noncompliance if the permit applicant
109 submits revisions; limiting a building official's
110 review of a resubmitted permit application to
111 previously identified deficiencies; limiting the
112 number of times a building official may audit a
113 private provider, with exceptions; amending s.
114 718.112, F.S.; requiring condominium associations to
115 ensure compliance with the Florida Fire Prevention
116 Code; requiring associations to retrofit certain high-
117 rise buildings with either a fire sprinkler system or
118 an engineered life safety system as specified in the
119 code; deleting a requirement for association bylaws to
120 include a provision relating to certain certificates
121 of compliance; extending and specifying the date
122 before which local authorities having jurisdiction may
123 not require completion of retrofitting a fire
124 sprinkler system or a engineered life safety system,
125 respectively; deleting an obsolete provision;

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126 providing applicability; amending s. 718.1085, F.S.;

127 revising the definition of the term "common areas" to

128 exclude individual balconies; extending the year

129 before which the local authority having jurisdiction

130 may not require retrofitting of common areas with

131 handrails and guardrails; requiring the State Fire

132 Marshal, by a certain date, to issue a data call to

133 all local fire officials to collect data on certain

134 high-rise condominiums; specifying data that local

135 fire officials must submit; requiring that all data be

136 received and compiled into a certain report by a

137 certain date; requiring that the report be sent to the

138 Governor and the Legislature by a certain date;

139 providing an effective date.

140

141 Be It Enacted by the Legislature of the State of Florida:

142

143 Section 1. Section 125.01055, Florida Statutes, is amended

144 to read:

145 125.01055 Affordable housing.—

146 (1) Notwithstanding any other provision of law, a county

147 may adopt and maintain in effect any law, ordinance, rule, or

148 other measure that is adopted for the purpose of increasing the

149 supply of affordable housing using land use mechanisms such as

150 inclusionary housing ordinances.

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151 (2) An inclusionary housing ordinance may require a
152 developer to provide a specified number or percentage of
153 affordable housing units to be included in a development or
154 allow a developer to contribute to a housing fund or other
155 alternatives in lieu of building the affordable housing units.
156 However, in exchange, a county must provide incentives to fully
157 offset all costs to the developer of its affordable housing
158 contribution. Such incentives may include, but are not limited
159 to:

160 (a) Allowing the developer density or intensity bonus
161 incentives or more floor space than allowed under the current or
162 proposed future land use designation or zoning;

163 (b) Reducing or waiving fees, such as impact fees or water
164 and sewer charges; or

165 (c) Granting other incentives.

166 (3) Subsection (2) does not apply in an area of critical
167 state concern, as designated in s. 380.0552.

168 Section 2. Section 125.022, Florida Statutes, is amended
169 to read:

170 125.022 Development permits and orders.—

171 (1) Within 30 days after receiving an application for
172 approval of a development permit or development order, a county
173 must review the application for completeness and issue a letter
174 indicating that all required information is submitted or
175 specifying with particularity any areas that are deficient. If

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176 | the application is deficient, the applicant has 30 days to
177 | address the deficiencies by submitting the required additional
178 | information. Within 120 days after the county has deemed the
179 | application complete, or 180 days for applications that require
180 | final action through a quasi-judicial hearing or a public
181 | hearing, the county must approve, approve with conditions, or
182 | deny the application for a development permit or development
183 | order. Both parties may agree to a reasonable request for an
184 | extension of time, particularly in the event of a force majeure
185 | or other extraordinary circumstance. An approval, approval with
186 | conditions, or denial of the application for a development
187 | permit or development order must include written findings
188 | supporting the county's decision. The timeframes contained in
189 | this subsection do not apply in an area of critical state
190 | concern, as designated in s. 380.0552.

191 | (2)~~(1)~~ When reviewing an application for a development
192 | permit or development order that is certified by a professional
193 | listed in s. 403.0877, a county may not request additional
194 | information from the applicant more than three times, unless the
195 | applicant waives the limitation in writing. Before a third
196 | request for additional information, the applicant must be
197 | offered a meeting to attempt to resolve outstanding issues.
198 | Except as provided in subsection (5) ~~(4)~~, if the applicant
199 | believes the request for additional information is not
200 | authorized by ordinance, rule, statute, or other legal

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201 authority, the county, at the applicant's request, shall proceed
 202 to process the application for approval or denial.

203 (3)~~(2)~~ When a county denies an application for a
 204 development permit or development order, the county shall give
 205 written notice to the applicant. The notice must include a
 206 citation to the applicable portions of an ordinance, rule,
 207 statute, or other legal authority for the denial of the permit
 208 or order.

209 (4)~~(3)~~ As used in this section, the terms ~~term~~
 210 "development permit" and "development order" have ~~has~~ the same
 211 meaning as in s. 163.3164, but do ~~does~~ not include building
 212 permits.

213 (5)~~(4)~~ For any development permit application filed with
 214 the county after July 1, 2012, a county may not require as a
 215 condition of processing or issuing a development permit or
 216 development order that an applicant obtain a permit or approval
 217 from any state or federal agency unless the agency has issued a
 218 final agency action that denies the federal or state permit
 219 before the county action on the local development permit.

220 (6)~~(5)~~ Issuance of a development permit or development
 221 order by a county does not in any way create any rights on the
 222 part of the applicant to obtain a permit from a state or federal
 223 agency and does not create any liability on the part of the
 224 county for issuance of the permit if the applicant fails to
 225 obtain requisite approvals or fulfill the obligations imposed by

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226 a state or federal agency or undertakes actions that result in a
 227 violation of state or federal law. A county shall attach such a
 228 disclaimer to the issuance of a development permit and shall
 229 include a permit condition that all other applicable state or
 230 federal permits be obtained before commencement of the
 231 development.

232 (7)~~(6)~~ This section does not prohibit a county from
 233 providing information to an applicant regarding what other state
 234 or federal permits may apply.

235 Section 3. Subsection (3) of section 163.3167, Florida
 236 Statutes, is amended to read:

237 163.3167 Scope of act.—

238 (3) A municipality established after the effective date of
 239 this act shall, within 1 year after incorporation, establish a
 240 local planning agency, pursuant to s. 163.3174, and prepare and
 241 adopt a comprehensive plan of the type and in the manner set out
 242 in this act within 3 years after the date of such incorporation.
 243 A county comprehensive plan is ~~shall be deemed~~ controlling until
 244 the municipality adopts a comprehensive plan in accordance
 245 ~~accord~~ with this act. A comprehensive plan adopted after January
 246 1, 2019, and all land development regulations adopted to
 247 implement the comprehensive plan must incorporate each
 248 development order existing before the comprehensive plan's
 249 effective date, may not impair the completion of a development
 250 in accordance with such existing development order, and must

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251 vest the density and intensity approved by such development
 252 order existing on the effective date of the comprehensive plan
 253 without limitation or modification.

254 Section 4. Paragraph (i) of subsection (5) and paragraph
 255 (h) of subsection (6) of section 163.3180, Florida Statutes, are
 256 amended to read:

257 163.3180 Concurrency.—

258 (5)

259 (i) If a local government elects to repeal transportation
 260 concurrency, it is encouraged to adopt an alternative mobility
 261 funding system that uses one or more of the tools and techniques
 262 identified in paragraph (f). Any alternative mobility funding
 263 system adopted may not be used to deny, time, or phase an
 264 application for site plan approval, plat approval, final
 265 subdivision approval, building permits, or the functional
 266 equivalent of such approvals provided that the developer agrees
 267 to pay for the development's identified transportation impacts
 268 via the funding mechanism implemented by the local government.
 269 The revenue from the funding mechanism used in the alternative
 270 system must be used to implement the needs of the local
 271 government's plan which serves as the basis for the fee imposed.
 272 A mobility fee-based funding system must comply with s.
 273 163.31801 governing the dual-rational nexus test applicable to
 274 impact fees. An alternative system that is not mobility fee-
 275 based shall not be applied in a manner that imposes upon new

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276 | development any responsibility for funding an existing
 277 | transportation deficiency as defined in paragraph (h).

278 | (6)

279 | (h)1. In order to limit the liability of local
 280 | governments, a local government may allow a landowner to proceed
 281 | with development of a specific parcel of land notwithstanding a
 282 | failure of the development to satisfy school concurrency, if all
 283 | the following factors are shown to exist:

284 | a. The proposed development would be consistent with the
 285 | future land use designation for the specific property and with
 286 | pertinent portions of the adopted local plan, as determined by
 287 | the local government.

288 | b. The local government's capital improvements element and
 289 | the school board's educational facilities plan provide for
 290 | school facilities adequate to serve the proposed development,
 291 | and the local government or school board has not implemented
 292 | that element or the project includes a plan that demonstrates
 293 | that the capital facilities needed as a result of the project
 294 | can be reasonably provided.

295 | c. The local government and school board have provided a
 296 | means by which the landowner will be assessed a proportionate
 297 | share of the cost of providing the school facilities necessary
 298 | to serve the proposed development.

299 | 2. If a local government applies school concurrency, it
 300 | may not deny an application for site plan, final subdivision

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301 approval, or the functional equivalent for a development or
302 phase of a development authorizing residential development for
303 failure to achieve and maintain the level-of-service standard
304 for public school capacity in a local school concurrency
305 management system where adequate school facilities will be in
306 place or under actual construction within 3 years after the
307 issuance of final subdivision or site plan approval, or the
308 functional equivalent. School concurrency is satisfied if the
309 developer executes a legally binding commitment to provide
310 mitigation proportionate to the demand for public school
311 facilities to be created by actual development of the property,
312 including, but not limited to, the options described in sub-
313 subparagraph a. Options for proportionate-share mitigation of
314 impacts on public school facilities must be established in the
315 comprehensive plan and the interlocal agreement pursuant to s.
316 163.31777.

317 a. Appropriate mitigation options include the contribution
318 of land; the construction, expansion, or payment for land
319 acquisition or construction of a public school facility; the
320 construction of a charter school that complies with the
321 requirements of s. 1002.33(18); or the creation of mitigation
322 banking based on the construction of a public school facility in
323 exchange for the right to sell capacity credits. Such options
324 must include execution by the applicant and the local government
325 of a development agreement that constitutes a legally binding

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326 | commitment to pay proportionate-share mitigation for the
327 | additional residential units approved by the local government in
328 | a development order and actually developed on the property,
329 | taking into account residential density allowed on the property
330 | prior to the plan amendment that increased the overall
331 | residential density. The district school board must be a party
332 | to such an agreement. As a condition of its entry into such a
333 | development agreement, the local government may require the
334 | landowner to agree to continuing renewal of the agreement upon
335 | its expiration.

336 | b. If the interlocal agreement and the local government
337 | comprehensive plan authorize a contribution of land; the
338 | construction, expansion, or payment for land acquisition; the
339 | construction or expansion of a public school facility, or a
340 | portion thereof; or the construction of a charter school that
341 | complies with the requirements of s. 1002.33(18), as
342 | proportionate-share mitigation, the local government shall
343 | credit such a contribution, construction, expansion, or payment
344 | toward any other impact fee or exaction imposed by local
345 | ordinance for public educational facilities ~~the same need~~, on a
346 | dollar-for-dollar basis at fair market value. The credit must be
347 | based on the total impact fee assessed and not on the impact fee
348 | for any particular type of school.

349 | c. Any proportionate-share mitigation must be directed by
350 | the school board toward a school capacity improvement identified

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351 in the 5-year school board educational facilities plan that
 352 satisfies the demands created by the development in accordance
 353 with a binding developer's agreement.

354 3. This paragraph does not limit the authority of a local
 355 government to deny a development permit or its functional
 356 equivalent pursuant to its home rule regulatory powers, except
 357 as provided in this part.

358 Section 5. Section 163.31801, Florida Statutes, is amended
 359 to read:

360 163.31801 Impact fees; short title; intent; minimum
 361 requirements; audits; challenges ~~definitions; ordinances levying~~
 362 ~~impact fees.~~-

363 (1) This section may be cited as the "Florida Impact Fee
 364 Act."

365 (2) The Legislature finds that impact fees are an
 366 important source of revenue for a local government to use in
 367 funding the infrastructure necessitated by new growth. The
 368 Legislature further finds that impact fees are an outgrowth of
 369 the home rule power of a local government to provide certain
 370 services within its jurisdiction. Due to the growth of impact
 371 fee collections and local governments' reliance on impact fees,
 372 it is the intent of the Legislature to ensure that, when a
 373 county or municipality adopts an impact fee by ordinance or a
 374 special district adopts an impact fee by resolution, the
 375 governing authority complies with this section.

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376 (3) At a minimum, an impact fee adopted by ordinance of a
 377 county or municipality or by resolution of a special district
 378 must satisfy all of the following conditions,~~at minimum:~~

379 (a) ~~Require that~~ The calculation of the impact fee must be
 380 based on the most recent and localized data.

381 (b) The local government must provide for accounting and
 382 reporting of impact fee collections and expenditures. If a local
 383 governmental entity imposes an impact fee to address its
 384 infrastructure needs, the entity must ~~shall~~ account for the
 385 revenues and expenditures of such impact fee in a separate
 386 accounting fund.

387 (c) ~~Limit~~ Administrative charges for the collection of
 388 impact fees must be limited to actual costs.

389 (d) The local government must provide ~~Require that~~ notice
 390 not be provided~~no~~ less than 90 days before the effective date
 391 of an ordinance or resolution imposing a new or increased impact
 392 fee. A county or municipality is not required to wait 90 days to
 393 decrease, suspend, or eliminate an impact fee.

394 (e) Collection of the impact fee may not be required to
 395 occur earlier than the date of issuance of the building permit
 396 for the property that is subject to the fee.

397 (f) The impact fee must be proportional and reasonably
 398 connected to, or have a rational nexus with, the need for
 399 additional capital facilities and the increased impact generated
 400 by the new residential or commercial construction.

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401 (g) The impact fee must be proportional and reasonably
 402 connected to, or have a rational nexus with, the expenditures of
 403 the funds collected and the benefits accruing to the new
 404 residential or nonresidential construction.

405 (h) The local government must specifically earmark funds
 406 collected under the impact fee for use in acquiring,
 407 constructing, or improving capital facilities to benefit new
 408 users.

409 (i) Revenues generated by the impact fee may not be used,
 410 in whole or in part, to pay existing debt or for previously
 411 approved projects unless the expenditure is reasonably connected
 412 to, or has a rational nexus with, the increased impact generated
 413 by the new residential or nonresidential construction.

414 (4) The local government must credit against the
 415 collection of the impact fee any contribution, whether
 416 identified in a proportionate share agreement or other form of
 417 exaction, related to public education facilities, including land
 418 dedication, site planning and design, or construction. Any
 419 contribution must be applied to reduce any education-based
 420 impact fees on a dollar-for-dollar basis at fair market value.

421 (5) If a local government increases its impact fee rates,
 422 the holder of any impact fee credits, whether such credits are
 423 granted under s. 163.3180, s. 380.06, or otherwise, which were
 424 in existence before the increase, is entitled to the full
 425 benefit of the intensity or density prepaid by the credit

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426 balance as of the date it was first established. This subsection
 427 shall operate prospectively and not retrospectively.

428 (6)-(4) Audits of financial statements of local
 429 governmental entities and district school boards which are
 430 performed by a certified public accountant pursuant to s. 218.39
 431 and submitted to the Auditor General must include an affidavit
 432 signed by the chief financial officer of the local governmental
 433 entity or district school board stating that the local
 434 governmental entity or district school board has complied with
 435 this section.

436 (7)-(5) In any action challenging an impact fee or the
 437 government's failure to provide required dollar-for-dollar
 438 credits for the payment of impact fees as provided in s.
 439 163.3180(6)(h)2.b., the government has the burden of proving by
 440 a preponderance of the evidence that the imposition or amount of
 441 the fee or credit meets the requirements of state legal
 442 precedent and ~~or~~ this section. The court may not use a
 443 deferential standard for the benefit of the government.

444 (8) A county, municipality, or special district may
 445 provide an exception or waiver for an impact fee for the
 446 development or construction of housing that is affordable, as
 447 defined in s. 420.9071. If a county, municipality, or special
 448 district provides such an exception or waiver, it is not
 449 required to use any revenues to offset the impact.

450 (9) This section does not apply to water and sewer

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451 connection fees.

452 Section 6. Paragraph (j) is added to subsection (2) of
453 section 163.3202, Florida Statutes, to read:

454 163.3202 Land development regulations.—

455 (2) Local land development regulations shall contain
456 specific and detailed provisions necessary or desirable to
457 implement the adopted comprehensive plan and shall at a minimum:

458 (j) Incorporate preexisting development orders identified
459 pursuant to s. 163.3167(3).

460 Section 7. Subsection (8) of section 163.3215, Florida
461 Statutes, is amended to read:

462 163.3215 Standing to enforce local comprehensive plans
463 through development orders.—

464 (8)(a) In any proceeding under subsection (3), either
465 party is entitled to the summary procedure provided in s.
466 51.011, and the court shall advance the cause on the calendar,
467 subject to paragraph (b) or subsection (4), the Department of
468 Legal Affairs may intervene to represent the interests of the
469 state.

470 (b) Upon a showing by either party by clear and convincing
471 evidence that summary procedure is inappropriate, the court may
472 determine that summary procedure does not apply.

473 (c) The prevailing party in a challenge to a development
474 order filed under subsection (3) is entitled to recover
475 reasonable attorney fees and costs incurred in challenging or

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476 defending the order, including reasonable appellate attorney
 477 fees and costs.

478 Section 8. Section 166.033, Florida Statutes, is amended
 479 to read:

480 166.033 Development permits and orders.—

481 (1) Within 30 days after receiving an application for
 482 approval of a development permit or development order, a
 483 municipality must review the application for completeness and
 484 issue a letter indicating that all required information is
 485 submitted or specifying with particularity any areas that are
 486 deficient. If the application is deficient, the applicant has 30
 487 days to address the deficiencies by submitting the required
 488 additional information. Within 120 days after the municipality
 489 has deemed the application complete, or 180 days for
 490 applications that require final action through a quasi-judicial
 491 hearing or a public hearing, the municipality must approve,
 492 approve with conditions, or deny the application for a
 493 development permit or development order. Both parties may agree
 494 to a reasonable request for an extension of time, particularly
 495 in the event of a force majeure or other extraordinary
 496 circumstance. An approval, approval with conditions, or denial
 497 of the application for a development permit or development order
 498 must include written findings supporting the municipality's
 499 decision. The timeframes contained in this subsection do not
 500 apply in an area of critical state concern, as designated in s.

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501 380.0552 or chapter 28-36, Florida Administrative Code.

502 (2)~~(1)~~ When reviewing an application for a development
503 permit or development order that is certified by a professional
504 listed in s. 403.0877, a municipality may not request additional
505 information from the applicant more than three times, unless the
506 applicant waives the limitation in writing. Before a third
507 request for additional information, the applicant must be
508 offered a meeting to attempt to resolve outstanding issues.
509 Except as provided in subsection (5) ~~(4)~~, if the applicant
510 believes the request for additional information is not
511 authorized by ordinance, rule, statute, or other legal
512 authority, the municipality, at the applicant's request, shall
513 proceed to process the application for approval or denial.

514 (3)~~(2)~~ When a municipality denies an application for a
515 development permit or development order, the municipality shall
516 give written notice to the applicant. The notice must include a
517 citation to the applicable portions of an ordinance, rule,
518 statute, or other legal authority for the denial of the permit
519 or order.

520 (4)~~(3)~~ As used in this section, the terms ~~term~~
521 "development permit" and "development order" have has the same
522 meaning as in s. 163.3164, but do ~~does~~ not include building
523 permits.

524 (5)~~(4)~~ For any development permit application filed with
525 the municipality after July 1, 2012, a municipality may not

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526 | require as a condition of processing or issuing a development
 527 | permit or development order that an applicant obtain a permit or
 528 | approval from any state or federal agency unless the agency has
 529 | issued a final agency action that denies the federal or state
 530 | permit before the municipal action on the local development
 531 | permit.

532 | (6)~~(5)~~ Issuance of a development permit or development
 533 | order by a municipality does not ~~in any way~~ create any right on
 534 | the part of an applicant to obtain a permit from a state or
 535 | federal agency and does not create any liability on the part of
 536 | the municipality for issuance of the permit if the applicant
 537 | fails to obtain requisite approvals or fulfill the obligations
 538 | imposed by a state or federal agency or undertakes actions that
 539 | result in a violation of state or federal law. A municipality
 540 | shall attach such a disclaimer to the issuance of development
 541 | permits and shall include a permit condition that all other
 542 | applicable state or federal permits be obtained before
 543 | commencement of the development.

544 | (7)~~(6)~~ This section does not prohibit a municipality from
 545 | providing information to an applicant regarding what other state
 546 | or federal permits may apply.

547 | Section 9. Section 166.04151, Florida Statutes, is amended
 548 | to read:

549 | 166.04151 Affordable housing.—

550 | (1) Notwithstanding any other provision of law, a

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551 municipality may adopt and maintain in effect any law,
552 ordinance, rule, or other measure that is adopted for the
553 purpose of increasing the supply of affordable housing using
554 land use mechanisms such as inclusionary housing ordinances.

555 (2) An inclusionary housing ordinance may require a
556 developer to provide a specified number or percentage of
557 affordable housing units to be included in a development or
558 allow a developer to contribute to a housing fund or other
559 alternatives in lieu of building the affordable housing units.
560 However, in exchange, a municipality must provide incentives to
561 fully offset all costs to the developer of its affordable
562 housing contribution. Such incentives may include, but are not
563 limited to:

564 (a) Allowing the developer density or intensity bonus
565 incentives or more floor space than allowed under the current or
566 proposed future land use designation or zoning;

567 (b) Reducing or waiving fees, such as impact fees or water
568 and sewer charges; or

569 (c) Granting other incentives.

570 (3) Subsection (2) does not apply in an area of critical
571 state concern, as designated by s. 380.0552 or chapter 28-36,
572 Florida Administrative Code.

573 Section 10. Subsection (8) of section 420.502, Florida
574 Statutes, is amended to read:

575 420.502 Legislative findings.—It is hereby found and

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576 | declared as follows:

577 | (8) (a) It is necessary to create new programs to stimulate
578 | the construction and substantial rehabilitation of rental
579 | housing for eligible persons and families.

580 | (b) It is necessary to create a state housing finance
581 | strategy to provide affordable workforce housing opportunities
582 | to essential services personnel in areas of critical state
583 | concern designated under s. 380.05, for which the Legislature
584 | has declared its intent to provide affordable housing, and areas
585 | that were designated as areas of critical state concern for at
586 | least 20 consecutive years before removal of the designation.
587 | The lack of affordable workforce housing has been exacerbated by
588 | the dwindling availability of developable land, environmental
589 | constraints, rising construction and insurance costs, and the
590 | shortage of lower-cost housing units. As this state's population
591 | continues to grow, essential services personnel vital to the
592 | economies of areas of critical state concern are unable to live
593 | in the communities where they work, creating transportation
594 | congestion and hindering their quality of life and community
595 | engagement.

596 | Section 11. Present subsections (18) through (42) of
597 | section 420.503, Florida Statutes, are redesignated as
598 | subsections (19) through (43), respectively, a new subsection
599 | (18) is added to that section, and subsection (15) of that
600 | section is amended, to read:

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601 420.503 Definitions.—As used in this part, the term:
 602 (15) "Elderly" means persons 62 years of age or older;
 603 however, this definition does not prohibit housing from being
 604 deemed housing for the elderly as defined in subsection (20)
 605 ~~(19)~~ if such housing otherwise meets the requirements of
 606 subsection (20) ~~(19)~~.

607 (18) "Essential services personnel" means natural persons
 608 or families whose total annual household income is at or below
 609 120 percent of the area median income, adjusted for household
 610 size, and at least one of whom is employed as police or fire
 611 personnel, a child care worker, a teacher or other education
 612 personnel, health care personnel, a public employee, or a
 613 service worker.

614 Section 12. Subsection (3) of section 420.5095, Florida
 615 Statutes, is amended to read:

616 420.5095 Community Workforce Housing Innovation Pilot
 617 Program.—

618 (3) For purposes of this section, the term:

619 (a) "Workforce housing" means housing affordable to
 620 natural persons or families whose total annual household income
 621 does not exceed 140 percent of the area median income, adjusted
 622 for household size, or 150 percent of area median income,
 623 adjusted for household size, in areas of critical state concern
 624 designated under s. 380.05, for which the Legislature has
 625 declared its intent to provide affordable housing, and areas

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626 that were designated as areas of critical state concern for at
 627 least 20 consecutive years prior to removal of the designation.

628 (b) ~~"Essential services personnel" means persons in need~~
 629 ~~of affordable housing who are employed in occupations or~~
 630 ~~professions in which they are considered essential services~~
 631 ~~personnel, as defined by each county and eligible municipality~~
 632 ~~within its respective local housing assistance plan pursuant to~~
 633 ~~s. 420.9075(3)(a).~~

634 ~~(c)~~ "Public-private partnership" means any form of
 635 business entity that includes substantial involvement of at
 636 least one county, one municipality, or one public sector entity,
 637 such as a school district or other unit of local government in
 638 which the project is to be located, and at least one private
 639 sector for-profit or not-for-profit business or charitable
 640 entity, and may be any form of business entity, including a
 641 joint venture or contractual agreement.

642 Section 13. Paragraph (a) of subsection (1) of section
 643 252.363, Florida Statutes, is amended to read:

644 252.363 Tolling and extension of permits and other
 645 authorizations.—

646 (1) (a) The declaration of a state of emergency issued by
 647 the Governor for a natural emergency tolls the period remaining
 648 to exercise the rights under a permit or other authorization for
 649 the duration of the emergency declaration. Further, the
 650 emergency declaration extends the period remaining to exercise

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651 the rights under a permit or other authorization for 6 months in
 652 addition to the tolled period. This paragraph applies to the
 653 following:

654 1. The expiration of a development order issued by a local
 655 government.

656 2. The expiration of a building permit.

657 3. The expiration of a permit issued by the Department of
 658 Environmental Protection or a water management district pursuant
 659 to part IV of chapter 373.

660 4. The buildout date of a development of regional impact,
 661 including any extension of a buildout date that was previously
 662 granted as specified in s. 380.06(7)(c).

663 Section 14. Subsection (1), paragraph (b) of subsection
 664 (2), and subsections (4) through (7) and (18) of section
 665 553.791, Florida Statutes, are amended to read:

666 553.791 Alternative plans review and inspection.—

667 (1) As used in this section, the term:

668 (a) "Applicable codes" means the Florida Building Code and
 669 any local technical amendments to the Florida Building Code but
 670 does not include the applicable minimum fire prevention and
 671 firesafety codes adopted pursuant to chapter 633.

672 (b) "Audit" means the process to confirm that the building
 673 code inspection services have been performed by the private
 674 provider, including ensuring that the required affidavit for the
 675 plan review has been properly completed and affixed to the

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676 permit documents and that the minimum mandatory inspections
 677 required under the building code have been performed and
 678 properly recorded. The ~~term does not mean that the local~~
 679 building official may not ~~is required to~~ replicate the plan
 680 review or inspection being performed by the private provider,
 681 unless expressly authorized by this section.

682 (c) "Building" means any construction, erection,
 683 alteration, demolition, or improvement of, or addition to, any
 684 structure or site work for which permitting by a local
 685 enforcement agency is required.

686 (d) "Building code inspection services" means those
 687 services described in s. 468.603(5) and (8) involving the review
 688 of building plans as well as those services involving the review
 689 of site plans and site work engineering plans or their
 690 functional equivalent, to determine compliance with applicable
 691 codes and those inspections required by law of each phase of
 692 construction for which permitting by a local enforcement agency
 693 is required to determine compliance with applicable codes.

694 (e) "Duly authorized representative" means an agent of the
 695 private provider identified in the permit application who
 696 reviews plans or performs inspections as provided by this
 697 section and who is licensed as an engineer under chapter 471 or
 698 as an architect under chapter 481 or who holds a standard
 699 certificate under part XII of chapter 468.

700 (f) "Immediate threat to public safety and welfare" means

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701 a building code violation that, if allowed to persist,
702 constitutes an immediate hazard that could result in death,
703 serious bodily injury, or significant property damage. This
704 paragraph does not limit the authority of the local building
705 official to issue a Notice of Corrective Action at any time
706 during the construction of a building project or any portion of
707 such project if the official determines that a condition of the
708 building or portion thereof may constitute a hazard when the
709 building is put into use following completion as long as the
710 condition cited is shown to be in violation of the building code
711 or approved plans.

712 (g) "Local building official" means the individual within
713 the governing jurisdiction responsible for direct regulatory
714 administration or supervision of plans review, enforcement, and
715 inspection of any construction, erection, alteration,
716 demolition, or substantial improvement of, or addition to, any
717 structure for which permitting is required to indicate
718 compliance with applicable codes and includes any duly
719 authorized designee of such person.

720 (h) "Permit application" means a properly completed and
721 submitted application for the requested building or construction
722 permit, including:

- 723 1. The plans reviewed by the private provider.
- 724 2. The affidavit from the private provider required under
725 subsection (6).

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- 726 3. Any applicable fees.
- 727 4. Any documents required by the local building official
- 728 to determine that the fee owner has secured all other government
- 729 approvals required by law.
- 730 (i) "Plans" means building plans, site engineering plans,
- 731 or site plans, or their functional equivalent, submitted by a
- 732 fee owner or fee owner's contractor to a private provider or
- 733 duly authorized representative for review.
- 734 (j)~~(i)~~ "Private provider" means a person licensed as a
- 735 building code administrator under part XII of chapter 468, as an
- 736 engineer under chapter 471, or as an architect under chapter
- 737 481. For purposes of performing inspections under this section
- 738 for additions and alterations that are limited to 1,000 square
- 739 feet or less to residential buildings, the term "private
- 740 provider" also includes a person who holds a standard
- 741 certificate under part XII of chapter 468.
- 742 (k)~~(j)~~ "Request for certificate of occupancy or
- 743 certificate of completion" means a properly completed and
- 744 executed application for:
- 745 1. A certificate of occupancy or certificate of
- 746 completion.
- 747 2. A certificate of compliance from the private provider
- 748 required under subsection (11).
- 749 3. Any applicable fees.
- 750 4. Any documents required by the local building official

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751 to determine that the fee owner has secured all other government
 752 approvals required by law.

753 (1) "Site work" means the portion of a construction
 754 project that is not part of the building structure, including,
 755 but not limited to, grading, excavation, landscape irrigation,
 756 and installation of driveways.

757 (m) ~~(k)~~ "Stop-work order" means the issuance of any written
 758 statement, written directive, or written order which states the
 759 reason for the order and the conditions under which the cited
 760 work will be permitted to resume.

761 (2)

762 (b) It is the intent of the Legislature that owners and
 763 contractors pay reduced fees ~~not be required to pay extra costs~~
 764 related to building permitting requirements when hiring a
 765 private provider for plans review and building inspections. A
 766 local jurisdiction must calculate the cost savings to the local
 767 enforcement agency, based on a fee owner or contractor hiring a
 768 private provider to perform plans reviews and building
 769 inspections in lieu of the local building official, and reduce
 770 the permit fees accordingly. The local jurisdiction may not
 771 charge fees for building inspections if the fee owner or
 772 contractor hires a private provider; however, the local
 773 jurisdiction may charge a reasonable administrative fee.

774 (4) A fee owner or the fee owner's contractor using a
 775 private provider to provide building code inspection services

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776 shall notify the local building official at the time of permit
 777 application, or by 2 p.m. local time, 2 ~~no less than 7~~ business
 778 days before ~~prior to~~ the first scheduled inspection by the local
 779 building official or building code enforcement agency for a
 780 private provider performing required inspections of construction
 781 under this section, on a form to be adopted by the commission.

782 This notice shall include the following information:

783 (a) The services to be performed by the private provider.

784 (b) The name, firm, address, telephone number, and
 785 facsimile number of each private provider who is performing or
 786 will perform such services, his or her professional license or
 787 certification number, qualification statements or resumes, and,
 788 if required by the local building official, a certificate of
 789 insurance demonstrating that professional liability insurance
 790 coverage is in place for the private provider's firm, the
 791 private provider, and any duly authorized representative in the
 792 amounts required by this section.

793 (c) An acknowledgment from the fee owner in substantially
 794 the following form:

795
 796 I have elected to use one or more private providers to
 797 provide building code plans review and/or inspection
 798 services on the building or structure that is the
 799 subject of the enclosed permit application, as
 800 authorized by s. 553.791, Florida Statutes. I

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801 understand that the local building official may not
802 review the plans submitted or perform the required
803 building inspections to determine compliance with the
804 applicable codes, except to the extent specified in
805 said law. Instead, plans review and/or required
806 building inspections will be performed by licensed or
807 certified personnel identified in the application. The
808 law requires minimum insurance requirements for such
809 personnel, but I understand that I may require more
810 insurance to protect my interests. By executing this
811 form, I acknowledge that I have made inquiry regarding
812 the competence of the licensed or certified personnel
813 and the level of their insurance and am satisfied that
814 my interests are adequately protected. I agree to
815 indemnify, defend, and hold harmless the local
816 government, the local building official, and their
817 building code enforcement personnel from any and all
818 claims arising from my use of these licensed or
819 certified personnel to perform building code
820 inspection services with respect to the building or
821 structure that is the subject of the enclosed permit
822 application.

823
824 If the fee owner or the fee owner's contractor makes any changes
825 to the listed private providers or the services to be provided

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826 | by those private providers, the fee owner or the fee owner's
 827 | contractor shall, within 1 business day after any change, update
 828 | the notice to reflect such changes. A change of a duly
 829 | authorized representative named in the permit application does
 830 | not require a revision of the permit, and the building code
 831 | enforcement agency shall not charge a fee for making the change.
 832 | In addition, the fee owner or the fee owner's contractor shall
 833 | post at the project site, before ~~prior to~~ the commencement of
 834 | construction and updated within 1 business day after any change,
 835 | on a form to be adopted by the commission, the name, firm,
 836 | address, telephone number, and facsimile number of each private
 837 | provider who is performing or will perform building code
 838 | inspection services, the type of service being performed, and
 839 | similar information for the primary contact of the private
 840 | provider on the project.

841 | (5) After construction has commenced and if the local
 842 | building official is unable to provide inspection services in a
 843 | timely manner, the fee owner or the fee owner's contractor may
 844 | elect to use a private provider to provide inspection services
 845 | by notifying the local building official of the owner's or
 846 | contractor's intention to do so by 2 p.m. local time, 2 ~~no less~~
 847 | ~~than 7~~ business days before ~~prior to~~ the next scheduled
 848 | inspection using the notice provided for in paragraphs (4) (a)-
 849 | (c).

850 | (6) A private provider performing plans review under this

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851 section shall review the ~~construction~~ plans to determine
 852 compliance with the applicable codes. Upon determining that the
 853 plans reviewed comply with the applicable codes, the private
 854 provider shall prepare an affidavit or affidavits on a form
 855 reasonably acceptable to ~~adopted by~~ the commission certifying,
 856 under oath, that the following is true and correct to the best
 857 of the private provider's knowledge and belief:

858 (a) The plans were reviewed by the affiant, who is duly
 859 authorized to perform plans review pursuant to this section and
 860 holds the appropriate license or certificate.

861 (b) The plans comply with the applicable codes.

862 (7) (a) No more than 20 ~~30~~ business days after receipt of a
 863 permit application and the affidavit from the private provider
 864 required pursuant to subsection (6), the local building official
 865 shall issue the requested permit or provide a written notice to
 866 the permit applicant identifying the specific plan features that
 867 do not comply with the applicable codes, as well as the specific
 868 code chapters and sections. If the local building official does
 869 not provide a written notice of the plan deficiencies within the
 870 prescribed 20-day ~~30-day~~ period, the permit application shall be
 871 deemed approved as a matter of law, and the permit shall be
 872 issued by the local building official on the next business day.

873 (b) If the local building official provides a written
 874 notice of plan deficiencies to the permit applicant within the
 875 prescribed 20-day ~~30-day~~ period, the 20-day ~~30-day~~ period shall

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876 | be tolled pending resolution of the matter. To resolve the plan
877 | deficiencies, the permit applicant may elect to dispute the
878 | deficiencies pursuant to subsection (13) or to submit revisions
879 | to correct the deficiencies.

880 | (c) If the permit applicant submits revisions, the local
881 | building official has the remainder of the tolled 20-day ~~30-day~~
882 | period plus 5 business days from the date of resubmittal to
883 | issue the requested permit or to provide a second written notice
884 | to the permit applicant stating which of the previously
885 | identified plan features remain in noncompliance with the
886 | applicable codes, with specific reference to the relevant code
887 | chapters and sections. Any subsequent review by the local
888 | building official is limited to the deficiencies cited in the
889 | written notice. If the local building official does not provide
890 | the second written notice within the prescribed time period, the
891 | permit shall be deemed approved as a matter of law, and ~~issued~~
892 | ~~by~~ the local building official must issue the permit on the next
893 | business day.

894 | (d) If the local building official provides a second
895 | written notice of plan deficiencies to the permit applicant
896 | within the prescribed time period, the permit applicant may
897 | elect to dispute the deficiencies pursuant to subsection (13) or
898 | to submit additional revisions to correct the deficiencies. For
899 | all revisions submitted after the first revision, the local
900 | building official has an additional 5 business days from the

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901 date of resubmittal to issue the requested permit or to provide
902 a written notice to the permit applicant stating which of the
903 previously identified plan features remain in noncompliance with
904 the applicable codes, with specific reference to the relevant
905 code chapters and sections.

906 (18) Each local building code enforcement agency may audit
907 the performance of building code inspection services by private
908 providers operating within the local jurisdiction. However, the
909 same private provider may not be audited more than four times in
910 a calendar year unless the local building official determines a
911 condition of a building constitutes an immediate threat to
912 public safety and welfare. Work on a building or structure may
913 proceed after inspection and approval by a private provider if
914 the provider has given notice of the inspection pursuant to
915 subsection (9) and, subsequent to such inspection and approval,
916 the work shall not be delayed for completion of an inspection
917 audit by the local building code enforcement agency.

918 Section 15. Paragraph (1) of subsection (2) of section
919 718.112, Florida Statutes, is amended to read:

920 718.112 Bylaws.—

921 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the
922 following and, if they do not do so, shall be deemed to include
923 the following:

924 (1) Firesafety.—An association must ensure compliance with
925 the Florida Fire Prevention Code. As to a residential

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926 condominium building that is a high-rise building as defined
 927 under the Florida Fire Prevention Code, the association must
 928 retrofit either a fire sprinkler system or an engineered life
 929 safety system as specified in the Florida Fire Prevention Code
 930 ~~Certificate of compliance. A provision that a certificate of~~
 931 ~~compliance from a licensed electrical contractor or electrician~~
 932 ~~may be accepted by the association's board as evidence of~~
 933 ~~compliance of the condominium units with the applicable fire and~~
 934 ~~life safety code must be included.~~ Notwithstanding chapter 633
 935 or of any other code, statute, ordinance, administrative rule,
 936 or regulation, or any interpretation of the foregoing, an
 937 association, residential condominium, or unit owner is not
 938 obligated to retrofit the common elements, association property,
 939 or units of a residential condominium with a fire sprinkler
 940 system in a building that has been certified for occupancy by
 941 the applicable governmental entity if the unit owners have voted
 942 to forego such retrofitting by the affirmative vote of a
 943 majority of all voting interests in the affected condominium.
 944 The local authority having jurisdiction may not require
 945 completion of retrofitting with a fire sprinkler system or an
 946 engineered life safety system before January 1, 2024 ~~2020~~. ~~By~~
 947 ~~December 31, 2016, a residential condominium association that is~~
 948 ~~not in compliance with the requirements for a fire sprinkler~~
 949 ~~system and has not voted to forego retrofitting of such a system~~
 950 ~~must initiate an application for a building permit for the~~

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951 ~~required installation with the local government having~~
952 ~~jurisdiction demonstrating that the association will become~~
953 ~~compliant by December 31, 2019.~~

954 1. A vote to forego retrofitting may be obtained by
955 limited proxy or by a ballot personally cast at a duly called
956 membership meeting, or by execution of a written consent by the
957 member, and is effective upon recording a certificate attesting
958 to such vote in the public records of the county where the
959 condominium is located. The association shall mail or hand
960 deliver to each unit owner written notice at least 14 days
961 before the membership meeting in which the vote to forego
962 retrofitting of the required fire sprinkler system is to take
963 place. Within 30 days after the association's opt-out vote,
964 notice of the results of the opt-out vote must be mailed or hand
965 delivered to all unit owners. Evidence of compliance with this
966 notice requirement must be made by affidavit executed by the
967 person providing the notice and filed among the official records
968 of the association. After notice is provided to each owner, a
969 copy must be provided by the current owner to a new owner before
970 closing and by a unit owner to a renter before signing a lease.

971 2. If there has been a previous vote to forego
972 retrofitting, a vote to require retrofitting may be obtained at
973 a special meeting of the unit owners called by a petition of at
974 least 10 percent of the voting interests. Such a vote may only
975 be called once every 3 years. Notice shall be provided as

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976 required for any regularly called meeting of the unit owners,
 977 and must state the purpose of the meeting. Electronic
 978 transmission may not be used to provide notice of a meeting
 979 called in whole or in part for this purpose.

980 3. As part of the information collected annually from
 981 condominiums, the division shall require condominium
 982 associations to report the membership vote and recording of a
 983 certificate under this subsection and, if retrofitting has been
 984 undertaken, the per-unit cost of such work. The division shall
 985 annually report to the Division of State Fire Marshal of the
 986 Department of Financial Services the number of condominiums that
 987 have elected to forego retrofitting.

988 4. Notwithstanding s. 553.509, a residential association
 989 may not be obligated to, and may forego the retrofitting of, any
 990 improvements required by s. 553.509(2) upon an affirmative vote
 991 of a majority of the voting interests in the affected
 992 condominium.

993 5. This paragraph does not apply to timeshare condominium
 994 associations, which shall be governed by s. 721.24.

995 Section 16. Section 718.1085, Florida Statutes, is amended
 996 to read:

997 718.1085 Certain regulations not to be retroactively
 998 applied.—Notwithstanding the provisions of chapter 633 or of any
 999 other code, statute, ordinance, administrative rule, or
 1000 regulation, or any interpretation thereof, an association,

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1001 condominium, or unit owner is not obligated to retrofit the
 1002 common elements or units of a residential condominium that meets
 1003 the definition of "housing for older persons" in s.
 1004 760.29(4)(b)3. to comply with requirements relating to handrails
 1005 and guardrails if the unit owners have voted to forego such
 1006 retrofitting by the affirmative vote of two-thirds of all voting
 1007 interests in the affected condominium. However, a condominium
 1008 association may not vote to forego the retrofitting in common
 1009 areas in a high-rise building. For the purposes of this section,
 1010 the term "high-rise building" means a building that is greater
 1011 than 75 feet in height where the building height is measured
 1012 from the lowest level of fire department access to the floor of
 1013 the highest occupiable level. For the purposes of this section,
 1014 the term "common areas" means stairwells and exposed, outdoor
 1015 walkways and corridors, but does not include individual
 1016 balconies. In no event shall the local authority having
 1017 jurisdiction require retrofitting of common areas with handrails
 1018 and guardrails before the end of 2024 ~~2014~~.

1019 (1) A vote to forego retrofitting may not be obtained by
 1020 general proxy or limited proxy, but shall be obtained by a vote
 1021 personally cast at a duly called membership meeting, or by
 1022 execution of a written consent by the member, and shall be
 1023 effective upon the recording of a certificate attesting to such
 1024 vote in the public records of the county where the condominium
 1025 is located. The association shall provide each unit owner

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1026 written notice of the vote to forego retrofitting of the
1027 required handrails or guardrails, or both, in at least 16-point
1028 bold type, by certified mail, within 20 days after the
1029 association's vote. After such notice is provided to each owner,
1030 a copy of such notice shall be provided by the current owner to
1031 a new owner prior to closing and shall be provided by a unit
1032 owner to a renter prior to signing a lease.

1033 (2) As part of the information collected annually from
1034 condominiums, the division shall require condominium
1035 associations to report the membership vote and recording of a
1036 certificate under this subsection and, if retrofitting has been
1037 undertaken, the per-unit cost of such work. The division shall
1038 annually report to the Division of State Fire Marshal of the
1039 Department of Financial Services the number of condominiums that
1040 have elected to forego retrofitting.

1041 Section 17. By July 1, 2019, the State Fire Marshal shall
1042 issue a data call to all local fire officials to collect data
1043 regarding high-rise condominiums greater than 75 feet in height
1044 which have not retrofitted with a fire sprinkler system or an
1045 engineered life safety system in accordance with ss. 633.208(5)
1046 and 718.112(2)(1), Florida Statutes. Local fire officials shall
1047 submit such data to the State Fire Marshal and shall include,
1048 for each individual building, the address, the number of units,
1049 and the number of stories. By July 1, 2020, all data must be
1050 received and compiled into a report by city and county. By

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1051 | September 1, 2020, the report must be sent to the Governor, the
1052 | President of the Senate, and the Speaker of the House of
1053 | Representatives.

1054 | Section 18. This act shall take effect upon becoming a
1055 | law.