

1 A bill to be entitled

2 An act relating to the application for and issuance of
3 building permits; amending s. 125.56, F.S.; requiring
4 a county that issues building permits to post certain
5 building permit information on its website;
6 authorizing all components to a completed application
7 to be submitted electronically or in person; amending
8 s. 553.79, F.S.; requiring a local enforcement agency
9 to post certain building permit information on its
10 website; authorizing all components to a completed
11 application to be submitted electronically or in
12 person; requiring a local enforcement agency to reduce
13 a permit fee by a specified amount for failing to meet
14 certain deadlines; providing an exception; amending
15 ss. 553.792 and 553.794, F.S.; requiring a local
16 government or local building department, respectively,
17 to reduce a permit fee by a specified amount for
18 failing to meet certain deadlines; providing
19 exceptions; amending s. 713.135, F.S.; prohibiting an
20 authority that issues a building permit from requiring
21 an applicant to provide specified contracts as part of
22 an application for certain construction; providing
23 applicability providing an effective date.

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

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Section 1. Paragraph (b) of subsection (4) of section 125.56, Florida Statutes, is amended, and paragraph (f) is added to that subsection, to read:

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

(4)

(b) A county that issues building permits must ~~shall~~ post each type of building permit application, including a list of all required fees, attachments, drawings, or other requirements or parts for each type of application, on its website. A county must also post the current status of each application it receives on its website until the applicable building permit has been issued. Completed applications, including payments, attachments, drawings, or any other requirements or parts of the completed permit application, must be able to be submitted electronically to the county building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in Portable Document Format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Completed applications, including payments, attachments, ~~or~~ drawings, or other requirements or parts ~~required as part~~ of the completed

51 permit application, may also be submitted in person in a
52 nonelectronic format, at the discretion of the building
53 official.

54 (f) A county that issues building permits must post its
55 procedures for processing, reviewing, and approving submitted
56 applications for a building permit on its website.

57 Section 2. Paragraph (b) of subsection (1) and subsection
58 (14) of section 553.79, Florida Statutes, are amended, and
59 paragraph (d) is added to subsection (1) of that section, to
60 read:

61 553.79 Permits; applications; issuance; inspections.—

62 (1)

63 (b) A local enforcement agency shall post each type of
64 building permit application, including a list of all required
65 fees, attachments, drawings, or other requirements or parts for
66 each type of application, on its website. A local enforcement
67 agency must also post the current status of each application it
68 receives on its website until the applicable building permit has
69 been issued. Completed applications, including payments,
70 attachments, drawings, or other requirements or parts of the
71 completed permit application, must be able to be submitted
72 electronically to the appropriate building department. Accepted
73 methods of electronic submission include, but are not limited
74 to, e-mail submission of applications in Portable Document
75 Format or submission of applications through an electronic fill-

76 | in form available on the building department's website or
77 | through a third-party submission management software. Completed
78 | applications, including payments, attachments, ~~or~~ drawings, or
79 | other requirements or parts ~~required as part~~ of the completed
80 | permit application, may also be submitted in person in a
81 | nonelectronic format, at the discretion of the building
82 | official.

83 | (d) A local enforcement agency must post its procedures
84 | for processing, reviewing, and approving submitted applications
85 | for a building permit on its website.

86 | (14) (a) A building permit for a single-family residential
87 | dwelling must be issued within 30 business working days after ~~of~~
88 | application. If a local enforcement agency fails to issue a
89 | building permit for a single-family residential dwelling within
90 | 30 business days after application, it must reduce the permit
91 | fee by 10 percent, and then by an additional 10 percent for
92 | every 10 business days thereafter that the local enforcement
93 | agency fails to issue the building permit. ~~therefor unless~~

94 | (b) A local enforcement agency is not required to reduce
95 | the permit fee if unusual circumstances require a longer time
96 | for processing the application or ~~unless~~ the permit application
97 | fails to satisfy the Florida Building Code or the enforcing
98 | agency's laws or ordinances and the local enforcement agency has
99 | provided written notice to the applicant, by e-mail or United
100 | States Postal Service, of the reasons for the delay.

101 Section 3. Section 553.792, Florida Statutes, is amended
 102 to read:

103 553.792 Building permit application to local government.-

104 (1)(a) Within 10 days after ~~of~~ an applicant submits
 105 ~~submitting~~ an application to the local government, the local
 106 government must ~~shall~~ advise the applicant what information, if
 107 any, is needed to deem the application properly completed in
 108 compliance with the filing requirements published by the local
 109 government. If the local government does not provide written
 110 notice that the applicant has not submitted the properly
 111 completed application, the application is ~~shall be~~ automatically
 112 considered ~~deemed~~ properly completed and accepted. Within 45
 113 days after receiving a completed application, a local government
 114 must notify an applicant if additional information is required
 115 for the local government to determine the sufficiency of the
 116 application, and must ~~shall~~ specify the additional information
 117 that is required. The applicant must submit the additional
 118 information to the local government or request that the local
 119 government act without the additional information. While the
 120 applicant responds to the request for additional information,
 121 the 120-day period described in this subsection is tolled. Both
 122 parties may agree to a reasonable request for an extension of
 123 time, particularly in the event of a force major or other
 124 extraordinary circumstance. The local government must approve,
 125 approve with conditions, or deny the application within 120 days

126 | after ~~following~~ receipt of a completed application.

127 | (b) If a local government fails to meet any of the
128 | deadlines specified in paragraph (a), it must reduce the permit
129 | fee by 10 percent, and then by an additional 10 percent for
130 | every 10 business days thereafter that the local government
131 | fails to meet the deadline, unless the parties have agreed to an
132 | extension of time in writing.

133 | (2)(a) The procedures set forth in subsection (1) apply to
134 | the following building permit applications: accessory structure;
135 | alarm permit; nonresidential buildings less than 25,000 square
136 | feet; electric; irrigation permit; landscaping; mechanical;
137 | plumbing; residential units other than a single family unit;
138 | multifamily residential not exceeding 50 units; roofing; signs;
139 | site-plan approvals and subdivision plats not requiring public
140 | hearings or public notice; and lot grading and site alteration
141 | associated with the permit application set forth in this
142 | subsection. The procedures set forth in subsection (1) do not
143 | apply to permits for any wireless communications facilities or
144 | when a law, agency rule, or local ordinance specify different
145 | timeframes for reviewing ~~review~~ of local building permit
146 | applications.

147 | (b) If a law, agency rule, or local ordinance specifies
148 | different timeframes than as set forth in subsection (1) for
149 | reviewing a permit application described in paragraph (a), the
150 | local government must meet the deadlines established by such

151 law, agency rule, or local ordinance. If a local government
152 fails to meet an established deadline to approve, approve with
153 conditions, or deny an application, it must reduce the permit
154 fee by 10 percent, and then by an additional 10 percent for
155 every 10 business days thereafter that the local government
156 fails to meet the deadline, unless the parties have agreed to an
157 extension of time in writing. This paragraph does not apply to
158 permits for any wireless communications facilities.

159 Section 4. Paragraph (c) of subsection (5) of section
160 553.794, Florida Statutes, is amended to read:

161 553.794 Local government residential master building
162 permit program.—

163 (5) MASTER BUILDING PERMIT APPLICATION APPROVAL PROCESS.—

164 (c) The local building department must approve or deny a
165 master building permit application within 120 days after the
166 local building department receives a completed application,
167 unless the applicant agrees to a longer period. If a local
168 building department fails to approve or deny a master building
169 permit application within 120 days, it must reduce the permit
170 fee by 10 percent, and then by an additional 10 percent for
171 every 10 business days thereafter that the local building
172 department fails to meet the deadline, unless the parties have
173 agreed to an extension of time in writing.

174 Section 5. Subsections (6) and (7) of section 713.135,
175 Florida Statutes, are renumbered as subsections (7) and (8),

HB 1059

2021

176 | respectively, and a new subsection (6) is added to that section
177 | to read:

178 | 713.135 Notice of commencement and applicability of lien.—

179 | (6) An authority that issues building permits may not
180 | require an applicant to provide a direct contract or a contract
181 | between a contractor and any other lienor as a condition of the
182 | application for, or processing or issuance of, a building permit
183 | for the construction of improvements or for the alteration or
184 | repair of improvements on or to commercial property. This
185 | subsection does not apply to the construction of improvements or
186 | the alteration or repair of improvements owned or leased by the
187 | federal government, the state or any county, city, or political
188 | subdivision thereof, or any other public authority.

189 | Section 6. This act shall take effect October 1, 2021.