

1 A bill to be entitled

2 An act relating to the construction permits; amending  
3 s. 125.022, F.S.; revising the requirements for when a  
4 county may request certain information; amending s.  
5 125.56, F.S.; requiring a county that issues building  
6 permits to post certain building permit information on  
7 its website; authorizing all components to a completed  
8 application to be submitted electronically or in  
9 person; amending s. 166.033, F.S.; revising the  
10 requirements for when a municipality may request  
11 certain information; amending s. 553.79, F.S.;  
12 requiring a local enforcement agency to post certain  
13 building permit information on its website;  
14 authorizing all components to a completed application  
15 to be submitted electronically or in person; requiring  
16 a local enforcement agency to reduce a building permit  
17 fee by a specified percentage for failing to meet  
18 certain deadlines; providing an exception; requiring  
19 the reduction of a building permit fee to be based on  
20 the original amount of such fee; requiring certain  
21 surcharges to be recalculated under certain  
22 conditions; amending ss. 553.792 and 553.794, F.S.;  
23 requiring a local government or local building  
24 department, respectively, to reduce a building permit  
25 fee or master building permit fee, respectively, by a

26 specified percentage for failing to meet certain  
 27 deadlines; providing exceptions; requiring certain  
 28 surcharges to be recalculated under certain  
 29 conditions; making technical changes; amending s.  
 30 713.135, F.S.; prohibiting an authority that issues a  
 31 building permit from requiring an applicant to provide  
 32 specified contracts as part of an application for  
 33 certain construction; providing applicability;  
 34 providing an effective date.

35

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

37

38 Section 1. Subsection (2) of section 125.022, Florida  
 39 Statutes, is amended to read:

40 125.022 Development permits and orders.—

41 (2) (a) When reviewing an application for a development  
 42 permit or development order that is certified by a professional  
 43 listed in s. 403.0877, a county may not request additional  
 44 information from the applicant more than three times, unless the  
 45 applicant waives the limitation in writing.

46 (b) If a county makes a request for additional information  
 47 and the applicant submits the required additional information  
 48 within 30 days after receiving the request, the county must  
 49 review the application for completeness and issue a letter  
 50 indicating that all required information has been submitted or

51 specify with particularity any areas that are deficient within  
52 30 days after receiving the additional information.

53 (c) If a county makes a second request for additional  
54 information and the applicant submits the required additional  
55 information within 30 days after receiving the request, the  
56 county must review the application for completeness and issue a  
57 letter indicating that all required information has been  
58 submitted or specify with particularity any areas that are  
59 deficient within 10 days after receiving the additional  
60 information.

61 (d) Before a third request for additional information, the  
62 applicant must be offered a meeting to attempt to resolve  
63 outstanding issues. If a county makes a third request for  
64 additional information and the applicant submits the required  
65 additional information within 30 days after receiving the  
66 request, the county must deem the application complete within 10  
67 days after receiving the additional information or proceed to  
68 process the application for approval or denial unless the  
69 applicant waived the county's limitation in writing as described  
70 in paragraph (a).

71 (e) Except as provided in subsection (5), if the applicant  
72 believes the request for additional information is not  
73 authorized by ordinance, rule, statute, or other legal  
74 authority, the county, at the applicant's request, shall proceed  
75 to process the application for approval or denial.

76 Section 2. Paragraph (b) of subsection (4) of section  
 77 125.56, Florida Statutes, is amended, and paragraph (f) is added  
 78 to that subsection, to read:

79 125.56 Enforcement and amendment of the Florida Building  
 80 Code and the Florida Fire Prevention Code; inspection fees;  
 81 inspectors; etc.—

82 (4)

83 (b) A county that issues building permits shall post each  
 84 type of building permit application, including a list of all  
 85 required attachments, drawings, or other requirements for each  
 86 type of application, on its website. A county must post and  
 87 update the status of every received application on its website  
 88 until the issuance of the building permit. Completed  
 89 applications, including payments, attachments, drawings, or  
 90 other requirements or parts of the completed permit application,  
 91 must be able to be submitted electronically to the county  
 92 building department. Accepted methods of electronic submission  
 93 include, but are not limited to, e-mail submission of  
 94 applications in Portable Document Format or submission of  
 95 applications through an electronic fill-in form available on the  
 96 building department's website or through a third-party  
 97 submission management software. Completed applications,  
 98 including payments, attachments, ~~or~~ drawings, or other  
 99 requirements or parts ~~required as part~~ of the completed permit  
 100 application, may also be submitted in person in a nonelectronic

101 format, at the discretion of the building official.

102 (f) A county that issues building permits must post its  
103 procedures for processing, reviewing, and approving submitted  
104 building permit applications on its website.

105 Section 3. Subsection (2) of section 166.033, Florida  
106 Statutes, is amended to read:

107 166.033 Development permits and orders.—

108 (2)(a) When reviewing an application for a development  
109 permit or development order that is certified by a professional  
110 listed in s. 403.0877, a municipality may not request additional  
111 information from the applicant more than three times, unless the  
112 applicant waives the limitation in writing.

113 (b) If a municipality makes a request for additional  
114 information and the applicant submits the required additional  
115 information within 30 days after receiving the request, the  
116 municipality must review the application for completeness and  
117 issue a letter indicating that all required information has been  
118 submitted or specify with particularity any areas that are  
119 deficient within 30 days after receiving the additional  
120 information.

121 (c) If a municipality makes a second request for  
122 additional information and the applicant submits the required  
123 additional information within 30 days after receiving the  
124 request, the municipality must review the application for  
125 completeness and issue a letter indicating that all required

126 information has been submitted or specify with particularity any  
 127 areas that are deficient within 10 days after receiving the  
 128 additional information.

129 (d) Before a third request for additional information, the  
 130 applicant must be offered a meeting to attempt to resolve  
 131 outstanding issues. If a municipality makes a third request for  
 132 additional information and the applicant submits the required  
 133 additional information within 30 days after receiving the  
 134 request, the municipality must deem the application complete  
 135 within 10 days after receiving the additional information or  
 136 proceed to process the application for approval or denial unless  
 137 the applicant waived the municipality's limitation in writing as  
 138 described in paragraph (a).

139 (e) Except as provided in subsection (5), if the applicant  
 140 believes the request for additional information is not  
 141 authorized by ordinance, rule, statute, or other legal  
 142 authority, the municipality, at the applicant's request, shall  
 143 proceed to process the application for approval or denial.

144 Section 4. Paragraph (b) of subsection (1) and subsection  
 145 (14) of section 553.79, Florida Statutes, are amended, and  
 146 paragraph (d) is added to subsection (1) of that section, to  
 147 read:

148 553.79 Permits; applications; issuance; inspections.—

149 (1)

150 (b) A local enforcement agency shall post each type of

151 building permit application, including a list of all required  
 152 attachments, drawings, or other requirements for each type of  
 153 application, on its website. A local enforcement agency must  
 154 post and update the status of every received application on its  
 155 website until the issuance of the building permit. Completed  
 156 applications, including payments, attachments, drawings, or  
 157 other requirements or parts of the completed permit application,  
 158 must be able to be submitted electronically to the appropriate  
 159 building department. Accepted methods of electronic submission  
 160 include, but are not limited to, e-mail submission of  
 161 applications in Portable Document Format or submission of  
 162 applications through an electronic fill-in form available on the  
 163 building department's website or through a third-party  
 164 submission management software. Completed applications,  
 165 including payments, attachments, ~~or~~ drawings, or other  
 166 requirements or parts ~~required as part~~ of the completed permit  
 167 application, may also be submitted in person in a nonelectronic  
 168 format, at the discretion of the building official.

169 (d) A local enforcement agency must post its procedures  
 170 for processing, reviewing, and approving submitted building  
 171 permit applications on its website.

172 (14) A building permit for a single-family residential  
 173 dwelling must be issued within 30 business ~~working~~ days after  
 174 receiving the permit ~~of~~ application ~~therefor~~ unless unusual  
 175 circumstances require a longer time for processing the

176 ~~application or unless~~ the permit application fails to satisfy  
177 the Florida Building Code or the enforcing agency's laws or  
178 ordinances.

179 (a) If a local enforcement agency fails to issue a  
180 building permit for a single-family residential dwelling within  
181 30 business days after receiving the permit application, it must  
182 reduce the building permit fee by 10 percent for each business  
183 day that it fails to meet the deadline. Each 10 percent  
184 reduction shall be based on the original amount of the building  
185 permit fee.

186 (b) A local enforcement agency does not have to reduce the  
187 building permit fee if it provides written notice to the  
188 applicant, by e-mail or United States Postal Service, within 30  
189 business days after receiving the permit application that  
190 specifically states the reasons why the permit application fails  
191 to satisfy the Florida Building Code or the enforcing agency's  
192 laws or ordinances.

193 (c) The applicant has 10 business days after receiving the  
194 written notice to address the reasons specified by the local  
195 enforcement agency and submit revisions to correct the permit  
196 application. If the applicant submits revisions within 10  
197 business days after receiving the written notice, the local  
198 enforcement agency has 10 business days after receiving such  
199 revisions to approve or deny the building permit unless the  
200 applicant agrees to a longer period in writing. If the local



201 enforcement agency fails to issue or deny the building permit  
202 within 10 business days after receiving the revisions, it must  
203 reduce the building permit fee by 20 percent for the first  
204 business day that it fails to meet the deadline unless the  
205 applicant agrees to a longer period in writing. For each  
206 additional business day, but not to exceed 5 business days, that  
207 the local enforcement agency fails to meet the deadline, the  
208 building permit fee must be reduced by an additional 10 percent.  
209 Each reduction shall be based on the original amount of the  
210 building permit fee.

211 (d) If any building permit fees are refunded under this  
212 subsection, the surcharges provided in s. 468.631 or s. 553.721  
213 must be recalculated based on the amount of the building permit  
214 fees after the refund.

215 Section 5. Section 553.792, Florida Statutes, is amended  
216 to read:

217 553.792 Building permit application to local government.—

218 (1)(a) Within 10 days of an applicant submitting an  
219 application to the local government, the local government shall  
220 advise the applicant what information, if any, is needed to deem  
221 the application properly completed in compliance with the filing  
222 requirements published by the local government. If the local  
223 government does not provide written notice that the applicant  
224 has not submitted the properly completed application, the  
225 application shall be automatically deemed properly completed and

226 | accepted. Within 45 days after receiving a completed  
227 | application, a local government must notify an applicant if  
228 | additional information is required for the local government to  
229 | determine the sufficiency of the application, and shall specify  
230 | the additional information that is required. The applicant must  
231 | submit the additional information to the local government or  
232 | request that the local government act without the additional  
233 | information. While the applicant responds to the request for  
234 | additional information, the 120-day period described in this  
235 | subsection is tolled. Both parties may agree to a reasonable  
236 | request for an extension of time, particularly in the event of a  
237 | force majeure ~~majeur~~ or other extraordinary circumstance. The  
238 | local government must approve, approve with conditions, or deny  
239 | the application within 120 days following receipt of a completed  
240 | application.

241 |       (b) If a local government fails to meet a deadline  
242 | provided in paragraph (a), it must reduce the building permit  
243 | fee by 10 percent for each business day that it fails to meet  
244 | the deadline. Each 10 percent reduction shall be based on the  
245 | original amount of the building permit fee, unless the parties  
246 | agree to an extension of time.

247 |       (2)(a) The procedures set forth in subsection (1) apply to  
248 | the following building permit applications: accessory structure;  
249 | alarm permit; nonresidential buildings less than 25,000 square  
250 | feet; electric; irrigation permit; landscaping; mechanical;

251 plumbing; residential units other than a single family unit;  
252 multifamily residential not exceeding 50 units; roofing; signs;  
253 site-plan approvals and subdivision plats not requiring public  
254 hearings or public notice; and lot grading and site alteration  
255 associated with the permit application set forth in this  
256 subsection. The procedures set forth in subsection (1) do not  
257 apply to permits for any wireless communications facilities or  
258 when a law, agency rule, or local ordinance specify different  
259 timeframes for review of local building permit applications.

260 (b) If a local government has different timeframes than  
261 the timeframes set forth in subsection (1) for reviewing  
262 building permit applications described in paragraph (a), the  
263 local government must meet the deadlines established by local  
264 ordinance. If a local government does not meet an established  
265 deadline to approve, approve with conditions, or deny an  
266 application, it must reduce the building permit fee by 10  
267 percent for each business day that it fails to meet the  
268 deadline. Each 10 percent reduction shall be based on the  
269 original amount of the building permit fee, unless the parties  
270 agree to an extension of time. This paragraph does not apply to  
271 permits for any wireless communications facilities.

272 (3) If any building permit fees are refunded under this  
273 section, the surcharges provided in s. 468.631 or s. 553.721  
274 must be recalculated based on the amount of the building permit  
275 fees after the refund.

276 Section 6. Paragraph (c) of subsection (5) of section  
277 553.794, Florida Statutes, is amended to read:

278 553.794 Local government residential master building  
279 permit program.—

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

281 (c) The local building department must approve or deny a  
282 master building permit application within 120 days after the  
283 local building department receives a completed application,  
284 unless the applicant agrees to a longer period. If a local  
285 building department fails to approve or deny a master building  
286 permit application within 120 days after receiving the completed  
287 permit application, it must reduce the master building permit  
288 fee by 10 percent for each business day that it fails to meet  
289 the deadline, unless the applicant agrees to a longer time  
290 period. Each 10 percent reduction shall be based on the original  
291 amount of the master building permit fee. If any master building  
292 permit fees are refunded, the surcharges provided in s. 468.631  
293 or s. 553.721 must be recalculated based on the amount of the  
294 master building permit fees after the refund.

295 Section 7. Subsections (6) and (7) of section 713.135,  
296 Florida Statutes, are renumbered as subsections (7) and (8),  
297 respectively, and a new subsection (6) is added to that section  
298 to read:

299 713.135 Notice of commencement and applicability of lien.—

300 (6) An authority that issues building permits may not

301 require an applicant to provide a direct contract or a contract  
302 between a contractor and any other lienor as a condition of the  
303 application for, or processing or issuance of, a building permit  
304 for the construction of improvements or for the alteration or  
305 repair of improvements on or to commercial property. This  
306 subsection does not apply to the construction of improvements or  
307 the alteration or repair of improvements owned or leased by the  
308 federal government, the state or any county, city, or political  
309 subdivision thereof, or other public authority.

310 Section 8. This act shall take effect October 1, 2021.