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LEGISLATIVE ACTION

Senate

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House

The Committee on Community Affairs (Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete lines 34 - 261

and insert:

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

125.022 Development permits and orders.—

(2) (a) When reviewing an application for a development permit or development order that is certified by a professional listed in s. 403.0877, a county may not request additional



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11 information from the applicant more than three times, unless the
12 applicant waives the limitation in writing.

13 (b) If a county makes a request for additional information
14 and the applicant submits the required additional information
15 within 30 days after receiving the request, the county must
16 review the application for completeness and issue a letter
17 indicating that all required information has been submitted or
18 specify with particularity any areas that are deficient within
19 30 days after receiving the additional information.

20 (c) If a county makes a second request for additional
21 information and the applicant submits the required additional
22 information within 30 days after receiving the request, the
23 county must review the application for completeness and issue a
24 letter indicating that all required information has been
25 submitted or specify with particularity any areas that are
26 deficient within 10 days after receiving the additional
27 information.

28 (d) Before a third request for additional information, the
29 applicant must be offered a meeting to attempt to resolve
30 outstanding issues. If a county makes a third request for
31 additional information and the applicant submits the required
32 additional information within 30 days after receiving the
33 request, the county must deem the application complete within 10
34 days after receiving the additional information or proceed to
35 process the application for approval or denial unless the
36 applicant waived the county's limitation in writing as described
37 in paragraph (a).

38 (e) Except as provided in subsection (5), if the applicant
39 believes the request for additional information is not



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40 authorized by ordinance, rule, statute, or other legal
41 authority, the county, at the applicant's request, shall proceed
42 to process the application for approval or denial.

43 Section 2. Paragraph (b) of subsection (4) of section
44 125.56, Florida Statutes, is amended, and paragraph (f) is added
45 to that subsection, to read:

46 125.56 Enforcement and amendment of the Florida Building
47 Code and the Florida Fire Prevention Code; inspection fees;
48 inspectors; etc.—

49 (4)

50 (b) A county that issues building permits shall post each
51 type of building permit application, including a list of all
52 required attachments, drawings, or other requirements for each
53 type of application, on its website. A county must post and
54 update the status of every received application on its website
55 until the issuance of the building permit. Completed
56 applications, including payments, attachments, drawings, or
57 other requirements or parts of the completed permit application,
58 must be able to be submitted electronically to the county
59 building department. Accepted methods of electronic submission
60 include, but are not limited to, e-mail submission of
61 applications in Portable Document Format or submission of
62 applications through an electronic fill-in form available on the
63 building department's website or through a third-party
64 submission management software. Completed applications,
65 including payments, attachments, ~~or~~ drawings, or other
66 requirements or parts required as part of the completed permit
67 application, may also be submitted in person in a nonelectronic
68 format, at the discretion of the building official.



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

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

74 166.033 Development permits and orders.—

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

80 (b) If a municipality makes a request for additional
81 information and the applicant submits the required additional
82 information within 30 days after receiving the request, the
83 municipality must review the application for completeness and
84 issue a letter indicating that all required information has been
85 submitted or specify with particularity any areas that are
86 deficient within 30 days after receiving the additional
87 information.

88 (c) If a municipality makes a second request for additional
89 information and the applicant submits the required additional
90 information within 30 days after receiving the request, the
91 municipality must review the application for completeness and
92 issue a letter indicating that all required information has been
93 submitted or specify with particularity any areas that are
94 deficient within 10 days after receiving the additional
95 information.

96 (d) Before a third request for additional information, the
97 applicant must be offered a meeting to attempt to resolve



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98 outstanding issues. If a municipality makes a third request for
99 additional information and the applicant submits the required
100 additional information within 30 days after receiving the
101 request, the municipality must deem the application complete
102 within 10 days after receiving the additional information or
103 proceed to process the application for approval or denial unless
104 the applicant waived the municipality's limitation in writing as
105 described in paragraph (a).

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

111 Section 4. Paragraph (b) of subsection (1) and subsection
112 (14) of section 553.79, Florida Statutes, are amended, and
113 paragraph (d) is added to subsection (1) of that section, to
114 read:

115 553.79 Permits; applications; issuance; inspections.-

116 (1)

117 (b) A local enforcement agency shall post each type of
118 building permit application, including a list of all required
119 attachments, drawings, or other requirements for each type of
120 application, on its website. A local enforcement agency must
121 post and update the status of every received application on its
122 website until the issuance of the building permit. Completed
123 applications, including payments, attachments, drawings, or
124 other requirements or parts of the completed permit application,
125 must be able to be submitted electronically to the appropriate
126 building department. Accepted methods of electronic submission



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127 include, but are not limited to, e-mail submission of
128 applications in Portable Document Format or submission of
129 applications through an electronic fill-in form available on the
130 building department's website or through a third-party
131 submission management software. Completed applications,
132 including payments, attachments, ~~or~~ drawings, or other
133 requirements or parts required as part of the completed permit
134 application, may also be submitted in person in a nonelectronic
135 format, at the discretion of the building official.

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

139 (14) A building permit for a single-family residential
140 dwelling must be issued within 30 business working days after
141 receiving the permit ~~of~~ application ~~therefor~~ unless ~~unusual~~
142 ~~circumstances require a longer time for processing the~~
143 ~~application or unless~~ the permit application fails to satisfy
144 the Florida Building Code or the enforcing agency's laws or
145 ordinances.

146 (a) If a local enforcement agency fails to issue a building
147 permit for a single-family residential dwelling within 30
148 business days after receiving the permit application, it must
149 reduce the building permit fee by 10 percent for each business
150 day that it fails to meet the deadline. Each 10 percent
151 reduction shall be based on the original amount of the building
152 permit fee.

153 (b) A local enforcement agency does not have to reduce the
154 building permit fee if it provides written notice to the
155 applicant, by e-mail or United States Postal Service, within 30



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156 business days after receiving the permit application that
157 specifically states the reasons why the permit application fails
158 to satisfy the Florida Building Code or the enforcing agency's
159 laws or ordinances.

160 (c) The applicant has 10 business days after receiving the
161 written notice to address the reasons specified by the local
162 enforcement agency and submit revisions to correct the permit
163 application. If the applicant submits revisions within 10
164 business days after receiving the written notice, the local
165 enforcement agency has 10 business days after receiving such
166 revisions to approve or deny the building permit unless the
167 applicant agrees to a longer period in writing. If the local
168 enforcement agency fails to issue or deny the building permit
169 within 10 business days after receiving the revisions, it must
170 reduce the building permit fee by 20 percent for the first
171 business day that it fails to meet the deadline unless the
172 applicant agrees to a longer period in writing. For each
173 additional business day, but not to exceed 5 business days, that
174 the local enforcement agency fails to meet the deadline, the
175 building permit fee must be reduced by an additional 10 percent.
176 Each reduction shall be based on the original amount of the
177 building permit fee.

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

182 Section 5. Section 553.792, Florida Statutes, is amended to
183 read:

184 553.792 Building permit application to local government.—



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185 (1) (a) Within 10 days of an applicant submitting an
186 application to the local government, the local government shall
187 advise the applicant what information, if any, is needed to deem
188 the application properly completed in compliance with the filing
189 requirements published by the local government. If the local
190 government does not provide written notice that the applicant
191 has not submitted the properly completed application, the
192 application shall be automatically deemed properly completed and
193 accepted. Within 45 days after receiving a completed
194 application, a local government must notify an applicant if
195 additional information is required for the local government to
196 determine the sufficiency of the application, and shall specify
197 the additional information that is required. The applicant must
198 submit the additional information to the local government or
199 request that the local government act without the additional
200 information. While the applicant responds to the request for
201 additional information, the 120-day period described in this
202 subsection is tolled. Both parties may agree to a reasonable
203 request for an extension of time, particularly in the event of a
204 force majeure ~~majeur~~ or other extraordinary circumstance. The
205 local government must approve, approve with conditions, or deny
206 the application within 120 days following receipt of a completed
207 application.

208 (b) If a local government fails to meet a deadline provided
209 in paragraph (a), it must reduce the building permit fee by 10
210 percent for each business day that it fails to meet the
211 deadline. Each 10 percent reduction shall be based on the
212 original amount of the building permit fee, unless the parties
213 agree to an extension of time.



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214 (2) (a) The procedures set forth in subsection (1) apply to
215 the following building permit applications: accessory structure;
216 alarm permit; nonresidential buildings less than 25,000 square
217 feet; electric; irrigation permit; landscaping; mechanical;
218 plumbing; residential units other than a single family unit;
219 multifamily residential not exceeding 50 units; roofing; signs;
220 site-plan approvals and subdivision plats not requiring public
221 hearings or public notice; and lot grading and site alteration
222 associated with the permit application set forth in this
223 subsection. The procedures set forth in subsection (1) do not
224 apply to permits for any wireless communications facilities or
225 when a law, agency rule, or local ordinance specify different
226 timeframes for review of local building permit applications.

227 (b) If a local government has different timeframes than the
228 timeframes set forth in subsection (1) for reviewing building
229 permit applications described in paragraph (a), the local
230 government must meet the deadlines established by local
231 ordinance. If a local government does not meet an established
232 deadline to approve, approve with conditions, or deny an
233 application, it must reduce the building permit fee by 10
234 percent for each business day that it fails to meet the
235 deadline. Each 10 percent reduction shall be based on the
236 original amount of the building permit fee, unless the parties
237 agree to an extension of time. This paragraph does not apply to
238 permits for any wireless communications facilities.

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



243 Section 6. Paragraph (c) of subsection (5) of section
244 553.794, Florida Statutes, is amended to read:

245 553.794 Local government residential master building permit
246 program.—

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

248 (c) The local building department must approve or deny a
249 master building permit application within 120 days after the
250 local building department receives a completed application,
251 unless the applicant agrees to a longer period. If a local
252 building department fails to approve or deny a master building
253 permit application within 120 days after receiving the completed
254 permit application, it must reduce the master building permit
255 fee by 10 percent for each business day that it fails to meet
256 the deadline, unless the applicant agrees to a longer time
257 period. Each 10 percent reduction shall be based on the original
258 amount of the master building permit fee. If any master building
259 permit fees are refunded, the surcharges provided in s. 468.631
260 or s. 553.721 must be recalculated based on the amount of the
261 master building permit fees after the refund.

262
263 ===== T I T L E A M E N D M E N T =====

264 And the title is amended as follows:

265 Delete lines 3 - 26

266 and insert:

267 125.022, F.S.; revising the requirements for when a
268 county may request certain information; amending s.
269 125.56, F.S.; requiring a county that issues building
270 permits to post certain building permit information on
271 its website; authorizing all components of a completed



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272 application to be submitted electronically or in
273 person; amending s. 166.033, F.S.; revising the
274 requirements for when a municipality may request
275 certain information; amending s. 553.79, F.S.;
276 requiring a local enforcement agency to post certain
277 building permit information on its website;
278 authorizing all components of a completed application
279 to be submitted electronically or in person; requiring
280 a local enforcement agency to reduce a building permit
281 fee by a specified percentage for failing to meet
282 certain deadlines; providing an exception; requiring
283 the reduction of a building permit fee to be based on
284 the original amount of such fee; requiring certain
285 surcharges to be recalculated under certain
286 conditions; amending ss. 553.792 and 553.794, F.S.;
287 requiring a local government or a local building
288 department, respectively, to reduce a building permit
289 fee or master building permit fee, as applicable, by a
290 specified percentage for failing to meet certain
291 deadlines; providing exceptions; requiring certain
292 surcharges to be recalculated under certain
293 conditions; making technical changes; amending s.
294 713.135,