



775516

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/26/2022	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (9) is added to section 468.603,
Florida Statutes, to read:

468.603 Definitions.—As used in this part:

(9) "Private provider" has the same meaning as in s.
553.791(1)(n).

Section 2. Paragraph (c) of subsection (2), paragraphs (c)



775516

11 and (d) of subsection (7), and paragraph (b) of subsection (10)
12 of section 468.609, Florida Statutes, are amended to read:

13 468.609 Administration of this part; standards for
14 certification; additional categories of certification.—

15 (2) A person may take the examination for certification as
16 a building code inspector or plans examiner pursuant to this
17 part if the person:

18 (c) Meets eligibility requirements according to one of the
19 following criteria:

20 1. Demonstrates 4 years' combined experience in the field
21 of construction or a related field, building code inspection, or
22 plans review corresponding to the certification category sought;

23 2. Demonstrates a combination of postsecondary education in
24 the field of construction or a related field and experience
25 which totals 3 years, with at least 1 year of such total being
26 experience in construction, building code inspection, or plans
27 review;

28 3. Demonstrates a combination of technical education in the
29 field of construction or a related field and experience which
30 totals 3 years, with at least 1 year of such total being
31 experience in construction, building code inspection, or plans
32 review;

33 4. Currently holds a standard certificate issued by the
34 board or a firesafety inspector license issued under ~~pursuant to~~
35 chapter 633, with a minimum of 3 years' verifiable full-time
36 experience in firesafety inspection or firesafety plan review,
37 and has satisfactorily completed a building code inspector or
38 plans examiner training program that provides at least 100 hours
39 but not more than 200 hours of cross-training in the



775516

40 certification category sought. The board shall establish by rule
41 criteria for the development and implementation of the training
42 programs. The board must ~~shall~~ accept all classroom training
43 offered by an approved provider if the content substantially
44 meets the intent of the classroom component of the training
45 program;

46 5. Demonstrates a combination of the completion of an
47 approved training program in the field of building code
48 inspection or plan review and a minimum of 2 years' experience
49 in the field of building code inspection, plan review, fire code
50 inspections and fire plans review of new buildings as a
51 firesafety inspector certified under s. 633.216, or
52 construction. The approved training portion of this requirement
53 must ~~shall~~ include proof of satisfactory completion of a
54 training program that provides at least 200 hours but not more
55 than 300 hours of cross-training that is approved by the board
56 in the chosen category of building code inspection or plan
57 review in the certification category sought with at least 20
58 hours but not more than 30 hours of instruction in state laws,
59 rules, and ethics relating to professional standards of
60 practice, duties, and responsibilities of a certificateholder.
61 The board shall coordinate with the Building Officials
62 Association of Florida, Inc., to establish by rule the
63 development and implementation of the training program. However,
64 the board must ~~shall~~ accept all classroom training offered by an
65 approved provider if the content substantially meets the intent
66 of the classroom component of the training program;

67 6. Currently holds a standard certificate issued by the
68 board or a firesafety inspector license issued under ~~pursuant to~~



775516

69 chapter 633 and:

70 a. Has at least 4 years' verifiable full-time experience as
71 an inspector or plans examiner in a standard certification
72 category currently held or has a minimum of 4 years' verifiable
73 full-time experience as a firesafety inspector licensed under
74 ~~pursuant to~~ chapter 633.

75 b. Has satisfactorily completed a building code inspector
76 or plans examiner classroom training course or program that
77 provides at least 200 but not more than 300 hours in the
78 certification category sought, except for residential ~~one-family~~
79 ~~and two-family dwelling~~ training programs, which must provide at
80 least 500 but not more than 800 hours of training as prescribed
81 by the board. The board shall establish by rule criteria for the
82 development and implementation of classroom training courses and
83 programs in each certification category; or

84 7.a. Has completed a 4-year internship certification
85 program as a building code inspector or plans examiner while
86 also employed full-time by a municipality, county, or other
87 governmental jurisdiction, under the direct supervision of a
88 certified building official. A person may also complete the
89 internship certification program while employed full-time by a
90 private provider or a private provider's firm that performs the
91 services of a building code inspector or plans examiner, while
92 under the direct supervision of the private provider who must be
93 a certified building official or a person licensed as an
94 engineer under chapter 471 or an architect under chapter 481.

95 Proof of graduation with a related vocational degree or college
96 degree or of verifiable work experience may be exchanged for the
97 internship experience requirement year-for-year, but may reduce



775516

98 the requirement to no less than 1 year.

99 b. Has passed an examination administered by the
100 International Code Council in the certification category sought.
101 Such examination must be passed before beginning the internship
102 certification program.

103 c. Has passed the principles and practice examination
104 before completing the internship certification program.

105 d. Has passed a board-approved 40-hour code training course
106 in the certification category sought before completing the
107 internship certification program.

108 e. Has obtained a favorable recommendation from the
109 supervising building official, engineer, or architect after
110 completion of the internship certification program.

111 (7)

112 (c) The board shall provide for appropriate levels of
113 provisional certificates and may issue these certificates with
114 such special conditions or requirements ~~relating to the place of~~
115 ~~employment of the person holding the certificate, the~~
116 ~~supervision of such person on a consulting or advisory basis, or~~
117 ~~other matters~~ as the board deems ~~may deem~~ necessary to protect
118 the public safety and health. The board may not place a special
119 condition or requirement on a provisional certificate with
120 respect to the requirement of employment by a municipality,
121 county, or other local government agency.

122 (d) A person may perform the duties of a plans examiner or
123 building code inspector for 120 days if a provisional
124 certificate application has been submitted if such person is
125 under the direct supervision of a person licensed as a certified
126 building code administrator under this part ~~who holds a standard~~



775516

127 ~~certification~~ and who has found such person qualified for a
128 provisional certificate. Direct supervision and the
129 determination of qualifications may also be provided by a
130 building code administrator who holds a limited or provisional
131 certificate in a county having a population of fewer than 75,000
132 and in a municipality located within such county.

133 (10)

134 (b) The board shall by rule establish:

135 1. Reciprocity of certification with any other state that
136 requires an examination administered by the International Code
137 Council.

138 2. That an applicant for certification as a building code
139 inspector or plans examiner may apply for a provisional
140 certificate valid for the duration of the internship period.

141 3. That partial completion of an internship program is
142 transferable among jurisdictions, private providers, and firms
143 of private providers ~~may be transferred between jurisdictions~~ on
144 a form prescribed by the board.

145 4. That an applicant may apply for a standard certificate
146 on a form prescribed by the board upon successful completion of
147 an internship certification program.

148 5. That an applicant may apply for a standard certificate
149 at least 30 days but ~~and~~ no more than 60 days before completing
150 the internship certification program.

151 6. That a building code inspector or plans examiner who has
152 standard certification may seek an additional certification in
153 another category by completing an additional nonconcurrent 1-
154 year internship program in the certification category sought and
155 passing an examination administered by the International Code



775516

156 Council and a board-approved 40-hour code training course.

157 Section 3. Subsection (25) is added to section 553.79,
158 Florida Statutes, to read:

159 553.79 Permits; applications; issuance; inspections.—

160 (25) (a) A local law, ordinance, or regulation may not
161 prohibit or otherwise restrict the ability of a private property
162 owner to obtain a building permit to demolish any single-family
163 residential structure located in a coastal high hazard area,
164 moderate flood zone, or special flood hazard area according to
165 Flood Insurance Rate Maps produced by the Federal Emergency
166 Management Agency in support of the National Flood Insurance
167 Program if the lowest finished floor elevation of such structure
168 is at or below base flood elevation as established by the
169 Florida Building Code, as amended, or a higher base flood
170 elevation as may be required by local ordinance, whichever is
171 higher, provided that such permit otherwise complies with all
172 applicable Florida Building Code requirements.

173 (b) Demolition permits sought pursuant to this subsection
174 may be reviewed only administratively for compliance with the
175 Florida Building Code and may not be subject to any additional
176 land development regulations or a public hearing as a requisite
177 to issuance. In the event of such demolition, a local government
178 may not impose additional regulatory requirements on the new
179 single-family residential structure constructed in place of the
180 demolished structure which would not otherwise be applicable to
181 a similarly situated, vacant parcel; nor may the local
182 government otherwise penalize the owner for such demolition.

183 (c) This subsection does not apply to any structure
184 designated on the National Register of Historic Places; to any



775516

185 privately owned single-family residential structure designated
186 historic by a local, state, or federal governmental agency on or
187 before January 1, 2022; or to any privately owned single-family
188 residential structure designated historic with the consent of
189 its owner subsequent to such date.

190 Section 4. Paragraph (b) of subsection (2) and subsection
191 (13) of section 553.791, Florida Statutes, are amended, and
192 paragraph (c) is added to subsection (2) of that section, to
193 read:

194 553.791 Alternative plans review and inspection.—

195 (2)

196 (b) If an owner or contractor retains a private provider
197 for purposes of plans review or building inspection services,
198 the local jurisdiction must reduce the permit fee by the amount
199 of cost savings realized by the local enforcement agency for not
200 having to perform such services. Such reduction may be
201 calculated on a flat fee or percentage basis, or any other
202 reasonable means by which a local enforcement agency assesses
203 the cost for its plans review or inspection services. The local
204 jurisdiction may not charge fees for building inspections if the
205 fee owner or contractor hires a private provider to perform such
206 services; however, the local jurisdiction may charge a
207 reasonable administrative fee, which shall be based on the cost
208 that is actually incurred, including the labor cost of the
209 personnel providing the service, by the local jurisdiction or
210 attributable to the local jurisdiction for the clerical and
211 supervisory assistance required, or both.

212 (c) If an owner or contractor retains a private provider
213 for purposes of plans review or building inspection services,



775516

214 the local jurisdiction must provide equal access to all
215 permitting and inspection documents and reports to the private
216 provider, owner, and contractor.

217 (13) No more than 2 business days after receipt of a
218 request for a certificate of occupancy or certificate of
219 completion and the applicant's presentation of a certificate of
220 compliance and approval of all other government approvals
221 required by law, the local building official shall issue the
222 certificate of occupancy or certificate of completion or provide
223 a notice to the applicant identifying the specific deficiencies,
224 as well as the specific code chapters and sections. If the local
225 building official does not provide notice of the deficiencies
226 within the prescribed 2-day period, the request for a
227 certificate of occupancy or certificate of completion is
228 automatically shall be deemed granted and deemed the certificate
229 of occupancy or certificate of completion shall be issued as of
230 by the local building official on the next business day. The
231 local building official must provide the applicant with the
232 written certificate of occupancy or certificate of completion
233 within 10 days after it is automatically granted and issued.
234 After the expiration of the 10-day period, the permit is deemed
235 closed. If the local building official determines the applicant
236 failed to adhere to this subsection, the local building official
237 may rescind the certificate of occupancy or certificate of
238 completion within 30 days after its issuance and must provide
239 written notice to the permit applicant and private provider, as
240 applicable, as well as the fee owner of the rescinded
241 certificate. The notice must include specific reasons for
242 rescinding the certificate and detail how the certificate can be



775516

243 reinstated. The permit must then be reopened, and the private
244 provider shall have the opportunity to cure any deficiencies and
245 resubmit the application for certificate of occupancy or
246 certificate of completion ~~To resolve any identified~~
247 ~~deficiencies, the applicant may elect to dispute the~~
248 ~~deficiencies pursuant to subsection (14) or to submit a~~
249 ~~corrected request for a certificate of occupancy or certificate~~
250 ~~of completion.~~

251 Section 5. This act shall take effect July 1, 2022.

252

253 ===== T I T L E A M E N D M E N T =====

254 And the title is amended as follows:

255 Delete everything before the enacting clause
256 and insert:

257 A bill to be entitled
258 An act relating to building inspections; amending s.
259 468.603, F.S.; defining the term "private provider";
260 amending s. 468.609, F.S.; revising eligibility
261 requirements for a person applying to become certified
262 as a building code inspector or plans examiner;
263 revising the special conditions or requirements that
264 the Florida Building Code Administrators and
265 Inspectors Board may impose on provisional
266 certificates; revising circumstances under which a
267 person may perform the duties of a plans examiner or
268 building code inspector for a specified period;
269 revising a requirement for the board's rules relating
270 to the transferability of a partial completion of an
271 internship program; amending s. 553.79, F.S.;



775516

272 prohibiting local laws, ordinances, or regulations
273 that prohibit or restrict a private property owner's
274 ability to obtain a building permit to demolish a
275 single-family residential structure located in certain
276 flood zones if certain conditions are met; specifying
277 restrictions on a local government's review of such
278 demolition permits and on certain actions by the local
279 government relating to the demolition; providing
280 applicability; amending s. 553.791, F.S.; specifying
281 the required basis for a certain administrative fee
282 charged by local jurisdictions relating to building
283 inspections by private providers; requiring the local
284 jurisdiction to provide access to certain documents to
285 a private provider, owner, and contractor; providing
286 that a certificate of occupancy or certificate of
287 completion is automatically granted and issued under
288 certain circumstances; requiring the local building
289 official to provide a written certificate of occupancy
290 or certificate of completion within a specified time;
291 providing construction; specifying and revising
292 procedures and requirements if the local building
293 official determines the applicant failed to adhere to
294 certain requirements; providing an effective date.