

By Senator Perry

8-01056-22

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1 A bill to be entitled
2 An act relating to construction; amending s. 255.0525,
3 F.S.; prohibiting specified governmental entities from
4 requiring participation in a paid subscription service
5 to access solicitations of competitive bids or
6 proposals which must be publicly advertised; requiring
7 that such solicitations be available on the publicly
8 accessible website of the applicable governmental
9 entity after the solicitation has been advertised;
10 amending s. 553.79, F.S.; prohibiting the local
11 enforcing agency from requiring a substantive change
12 to plans and specifications once they have been found
13 to be in compliance and a permit is issued, if such
14 change would result in more than a de minimis increase
15 in the overall cost of the project; providing an
16 effective date.

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

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20 Section 1. Present subsection (5) of section 255.0525,
21 Florida Statutes, is redesignated as subsection (6), and a new
22 subsection (5) is added to that section, to read:

23 255.0525 Advertising for competitive bids or proposals.—

24 (5) The state and any county, municipality, or other
25 political subdivision may not require participation in a paid
26 subscription service to access a solicitation of competitive
27 bids or proposals which is required to be publicly advertised
28 under this section. Once a solicitation of competitive bids or
29 proposals has been advertised, it must be accessible by the

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30 public on the website of the applicable department of the state,
31 county, municipality, or other political subdivision.

32 Section 2. Subsection (2) of section 553.79, Florida
33 Statutes, is amended to read:

34 553.79 Permits; applications; issuance; inspections.—

35 (2) Except as provided in subsection (8), an enforcing
36 agency may not issue any permit for construction, erection,
37 alteration, modification, repair, or demolition of any building
38 or structure until the local building code administrator or
39 inspector has reviewed the plans and specifications required by
40 the Florida Building Code, or local amendment thereto, for such
41 proposal and found the plans to be in compliance with the
42 Florida Building Code. If the local building code administrator
43 or inspector finds that the plans are not in compliance with the
44 Florida Building Code, the local building code administrator or
45 inspector shall identify the specific plan features that do not
46 comply with the applicable codes, identify the specific code
47 chapters and sections upon which the finding is based, and
48 provide this information to the local enforcing agency. The
49 local enforcing agency shall provide this information to the
50 permit applicant. Once the local building code administrator or
51 inspector finds that the plans and specifications for the
52 construction, erection, alteration, modification, repair, or
53 demolition of any building or structure are found to be in
54 compliance with the Florida Building Code and a permit is
55 issued, the local enforcing agency, or any department thereof,
56 may not make or require substantive changes to the plans or
57 specifications which would result in more than a de minimis
58 increase in the overall cost of the project. In addition, an

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59 enforcing agency may not issue any permit for construction,
60 erection, alteration, modification, repair, or demolition of any
61 building until the appropriate firesafety inspector certified
62 pursuant to s. 633.216 has reviewed the plans and specifications
63 required by the Florida Building Code, or local amendment
64 thereto, for such proposal and found that the plans comply with
65 the Florida Fire Prevention Code and the Life Safety Code. Any
66 building or structure which is not subject to a firesafety code
67 shall not be required to have its plans reviewed by the
68 firesafety inspector. Any building or structure that is exempt
69 from the local building permit process may not be required to
70 have its plans reviewed by the local building code
71 administrator. Industrial construction on sites where design,
72 construction, and firesafety are supervised by appropriate
73 design and inspection professionals and which contain adequate
74 in-house fire departments and rescue squads is exempt, subject
75 to local government option, from review of plans and
76 inspections, providing owners certify that applicable codes and
77 standards have been met and supply appropriate approved drawings
78 to local building and firesafety inspectors. The enforcing
79 agency shall issue a permit to construct, erect, alter, modify,
80 repair, or demolish any building or structure when the plans and
81 specifications for such proposal comply with the Florida
82 Building Code and the Florida Fire Prevention Code and the Life
83 Safety Code as determined by the local authority in accordance
84 with this chapter and chapter 633.

85 Section 3. This act shall take effect July 1, 2022.