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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/24/2023	.	
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The Committee on Rules (Hooper) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (2) of section 553.79, Florida  
Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.-

(2) (a)1. Except as provided in subsection (8), an enforcing  
agency may not issue any permit for construction, erection,  
alteration, modification, repair, or demolition of any building  
or structure until the local building code administrator or



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12 inspector has reviewed the plans and specifications required by  
13 the Florida Building Code, or local amendment thereto, for such  
14 proposal and found the plans to be in compliance with the  
15 Florida Building Code. If the local building code administrator  
16 or inspector finds that the plans are not in compliance with the  
17 Florida Building Code, the local building code administrator or  
18 inspector shall identify the specific plan features that do not  
19 comply with the applicable codes, identify the specific code  
20 chapters and sections upon which the finding is based, and  
21 provide this information to the local enforcing agency. If the  
22 building code administrator, plans examiner, or inspector  
23 requests another local enforcing agency employee or a person  
24 contracted by the local enforcing agency to review the plans and  
25 that employee or person identifies specific plan features that  
26 do not comply with the applicable codes, the building code  
27 administrator, plans examiner, or inspector must provide this  
28 information to the local enforcing agency. The local enforcing  
29 agency shall provide this information to the permit applicant.

30 2. In addition, An enforcing agency may not issue any  
31 permit for construction, erection, alteration, modification,  
32 repair, or demolition of any building until the appropriate  
33 firesafety inspector certified pursuant to s. 633.216 has  
34 reviewed the plans and specifications required by the Florida  
35 Building Code, or local amendment thereto, for such proposal and  
36 found that the plans comply with the Florida Fire Prevention  
37 Code and the Life Safety Code. Any building or structure which  
38 is not subject to a firesafety code shall not be required to  
39 have its plans reviewed by the firesafety inspector.

40 3. Any building or structure that is exempt from the local



41 building permit process may not be required to have its plans  
42 reviewed by the local building code administrator. Industrial  
43 construction on sites where design, construction, and firesafety  
44 are supervised by appropriate design and inspection  
45 professionals and which contain adequate in-house fire  
46 departments and rescue squads is exempt, subject to local  
47 government option, from review of plans and inspections,  
48 providing owners certify that applicable codes and standards  
49 have been met and supply appropriate approved drawings to local  
50 building and firesafety inspectors.

51 4. The enforcing agency shall issue a permit to construct,  
52 erect, alter, modify, repair, or demolish any building or  
53 structure when the plans and specifications for such proposal  
54 comply with the Florida Building Code and the Florida Fire  
55 Prevention Code and the Life Safety Code as determined by the  
56 local authority in accordance with this chapter and chapter 633.

57 (b) After the local enforcing agency issues a permit, the  
58 local enforcing agency may not make or require any substantive  
59 changes to the plans or specifications except changes required  
60 for compliance with the Florida Building Code, the Florida Fire  
61 Prevention Code, or the Life Safety Code, or local amendments  
62 thereto. If a local enforcing agency makes or requires  
63 substantive changes to the plans or specifications after a  
64 permit is issued, the local enforcing agency must identify the  
65 specific plan features that do not comply with the applicable  
66 codes, identify the specific code chapters and sections upon  
67 which the finding is based, and provide the information to the  
68 permitholder in writing.

69 (c)1. A plans examiner or inspector who fails to provide



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70 the building code administrator with the reasons for making or  
71 requiring substantive changes to the plans or specifications is  
72 subject to disciplinary action against his or her certificate  
73 under s. 468.621(1)(i).

74 2. A building code administrator who fails to provide a  
75 permit applicant or permitholder with the reasons for making or  
76 requiring substantive changes to the plans or specifications is  
77 subject to disciplinary action against his or her certificate  
78 under s. 468.621(1)(i).

79 Section 2. Subsection (2) of section 633.208, Florida  
80 Statutes, is amended to read:

81 633.208 Minimum firesafety standards.—

82 (2) (a) Pursuant to subsection (1), each municipality,  
83 county, and special district with firesafety responsibilities  
84 shall enforce the Florida Fire Prevention Code as the minimum  
85 firesafety code required by this section.

86 (b) If a municipality, county, or special district  
87 determines that the building plans for a building permit  
88 application do not comply with the Florida Fire Prevention Code  
89 or the Life Safety Code, or local amendments thereto, the local  
90 fire official must identify the specific plan features that do  
91 not comply with the applicable codes, identify the specific code  
92 chapters and sections upon which the determination is based, and  
93 provide this information to the permit applicant.

94 (c) After a municipality, county, or special district  
95 issues a building permit, it may not make or require any  
96 substantive changes to the building plans except those required  
97 for compliance with the Florida Fire Prevention Code or the Life  
98 Safety Code, or local amendments thereto. If a municipality,



99 county, or special district makes or requires substantive  
100 changes to building plans after a permit is issued, the local  
101 fire official must identify the specific plan features that do  
102 not comply with the Florida Fire Prevention Code or the Life  
103 Safety Code, or local amendments thereto, identify the specific  
104 code chapters and sections upon which the finding is based, and  
105 provide this information to the permit holder.

106 (d) A local fire official who is also a certified  
107 firesafety inspector and who fails to comply with paragraph (b)  
108 or paragraph (c) is subject to disciplinary action against his  
109 or her certificate under s. 633.216(5) (f).

110 Section 3. This act shall take effect July 1, 2023.

111  
112 ===== T I T L E A M E N D M E N T =====

113 And the title is amended as follows:

114 Delete everything before the enacting clause  
115 and insert:

116 A bill to be entitled  
117 An act relating to building construction; amending s.  
118 553.79, F.S.; requiring local building code  
119 administrators, plans examiners, or inspectors to  
120 provide certain information to the local enforcing  
121 agency under certain circumstances; prohibiting local  
122 enforcing agencies from making or requiring  
123 substantive changes to plans or specifications after a  
124 permit has been issued; providing exceptions;  
125 requiring local enforcing agencies that require  
126 substantive changes to plans or specifications after a  
127 permit has been issued to provide certain information



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128 to the permitholder in writing; providing that a plans  
129 examiner, inspector, or building code administrator is  
130 subject to disciplinary action under certain  
131 circumstances; amending s. 633.208, F.S.; requiring  
132 local fire officials to provide certain information to  
133 a permit applicant if building plans do not comply  
134 with the Florida Fire Prevention Code or the Life  
135 Safety Code; prohibiting a municipality, county, or  
136 special district from making or requiring substantive  
137 changes to building plans after a permit has been  
138 issued; providing exceptions; requiring a local fire  
139 official to provide certain information to the  
140 permitholder if a municipality, county, or special  
141 district requires substantive changes to building  
142 plans after a permit is issued; providing that a local  
143 fire official who is a certified firesafety inspector  
144 is subject to disciplinary action under certain  
145 circumstances; providing an effective date.