

1                                   A bill to be entitled  
2           An act relating to residential building permits;  
3           amending s. 553.79, F.S.; removing provisions relating  
4           to acquiring building permits for certain residential  
5           dwellings; amending s. 553.791, F.S.; requiring a  
6           local jurisdiction to reduce permit fees by a certain  
7           percentage under certain circumstances; amending s.  
8           553.792, F.S.; revising the timeframes for approving  
9           or denying certain building permits; revising how many  
10          times a local government may request additional  
11          information from an applicant; specifying when a  
12          permit application is deemed complete and sufficient;  
13          requiring the opportunity for an in-person or virtual  
14          meeting before a second request for additional  
15          information may be made; reducing permit fees by a  
16          certain percentage if certain timeframes are not met;  
17          authorizing both parties to extend certain timeframes  
18          under certain circumstances; specifying that the  
19          permit requirements apply to single-family residential  
20          units and single-family residential dwellings;  
21          requiring that local governments follow the prescribed  
22          timeframes unless the local ordinance is more  
23          stringent; conforming provisions to changes made by  
24          the act; amending s. 440.103, F.S.; conforming a  
25          cross-reference; providing an effective date.

26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

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

Section 1. Subsection (16) of section 553.79, Florida Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.—

~~(16) Except as provided in paragraph (c), a building permit for a single-family residential dwelling must be issued within 30 business days after receiving the permit application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.~~

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

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

51 ~~applicant has 10 business days after receiving the written~~  
52 ~~notice to submit revisions to correct the permit application and~~  
53 ~~that failure to correct the application within 10 business days~~  
54 ~~will result in a denial of the application.~~

55 ~~(c) The applicant has 10 business days after receiving the~~  
56 ~~written notice to address the reasons specified by the local~~  
57 ~~enforcement agency and submit revisions to correct the permit~~  
58 ~~application. If the applicant submits revisions within 10~~  
59 ~~business days after receiving the written notice, the local~~  
60 ~~enforcement agency has 10 business days after receiving such~~  
61 ~~revisions to approve or deny the building permit unless the~~  
62 ~~applicant agrees to a longer period in writing. If the local~~  
63 ~~enforcement agency fails to issue or deny the building permit~~  
64 ~~within 10 business days after receiving the revisions, it must~~  
65 ~~reduce the building permit fee by 20 percent for the first~~  
66 ~~business day that it fails to meet the deadline unless the~~  
67 ~~applicant agrees to a longer period in writing. For each~~  
68 ~~additional business day, but not to exceed 5 business days, that~~  
69 ~~the local enforcement agency fails to meet the deadline, the~~  
70 ~~building permit fee must be reduced by an additional 10 percent.~~  
71 ~~Each reduction shall be based on the original amount of the~~  
72 ~~building permit fee.~~

73 ~~(d) If any building permit fees are refunded under this~~  
74 ~~subsection, the surcharges provided in s. 468.631 or s. 553.721~~  
75 ~~must be recalculated based on the amount of the building permit~~

HB 671

2023

76 | ~~fees after the refund.~~

77 |       ~~(c) A building permit for a single-family residential~~  
78 | ~~dwelling applied for by a contractor licensed in this state on~~  
79 | ~~behalf of a property owner who participates in a Community~~  
80 | ~~Development Block Grant-Disaster Recovery program administered~~  
81 | ~~by the Department of Economic Opportunity must be issued within~~  
82 | ~~15 working days after receipt of the application unless the~~  
83 | ~~permit application fails to satisfy the Florida Building Code or~~  
84 | ~~the enforcing agency's laws or ordinances.~~

85 |       Section 2. Paragraph (b) of subsection (2) of section  
86 | 553.791, Florida Statutes, is amended to read:

87 |       553.791 Alternative plans review and inspection.—

88 |       (2)

89 |       (b) If an owner or contractor retains a private provider  
90 | for purposes of plans review or building inspection services,  
91 | the local jurisdiction must reduce the permit fee by 75 percent  
92 | ~~the amount of cost savings realized by the local enforcement~~  
93 | ~~agency for not having to perform such services. Such reduction~~  
94 | ~~may be calculated on a flat fee or percentage basis, or any~~  
95 | ~~other reasonable means by which a local enforcement agency~~  
96 | ~~assesses the cost for its plans review or inspection services.~~  
97 | The local jurisdiction may not charge fees for building  
98 | inspections if the fee owner or contractor hires a private  
99 | provider to perform such services; however, the local  
100 | jurisdiction may charge a reasonable administrative fee, which

101 must ~~shall~~ be based on the cost that is actually incurred,  
 102 including the labor cost of the personnel providing the service,  
 103 by the local jurisdiction or attributable to the local  
 104 jurisdiction for the clerical and supervisory assistance  
 105 required, or both.

106 Section 3. Subsections (1) and (2) of section 553.792,  
 107 Florida Statutes, are amended to read:

108 553.792 Building permit application to local government.-

109 (1) (a) After ~~Within 10 days of~~ an applicant submits  
 110 ~~submitting~~ an application to the local government, the local  
 111 government must provide written notice to the applicant within 3  
 112 calendar days after receipt of the application advising ~~shall~~  
 113 ~~advise~~ the applicant what information, if any, is needed to deem  
 114 the application properly completed in compliance with the filing  
 115 requirements published by the local government. If the local  
 116 government does not provide timely written notice that the  
 117 applicant has not submitted a ~~the~~ properly completed  
 118 application, the application is ~~shall be~~ automatically deemed  
 119 properly completed and sufficient ~~accepted~~.

120 (b) Within 9 calendar ~~45~~ days after receiving a completed  
 121 application, a local government must provide written notice to  
 122 ~~notify~~ an applicant if additional information is required for  
 123 the local government to determine the sufficiency of the  
 124 application, and the notice must ~~shall~~ specify the additional  
 125 information that is required. The applicant may ~~must~~ submit the

126 additional information to the local government or request that  
 127 the local government act without the additional information.  
 128 ~~While the applicant responds to the request for additional~~  
 129 ~~information, the 120-day period described in this subsection is~~  
 130 ~~tolled. Both parties may agree to a reasonable request for an~~  
 131 ~~extension of time, particularly in the event of a force majeure~~  
 132 ~~or other extraordinary circumstance. The local government must~~  
 133 ~~approve, approve with conditions, or deny the application within~~  
 134 ~~120 days following receipt of a completed application.~~

135 (c)1. ~~(b)1.~~ When reviewing an application for a building  
 136 permit, a local government may not request additional  
 137 information from the applicant more than two ~~three~~ times, unless  
 138 the applicant waives such limitation in writing.

139 2. If a local government requests additional information  
 140 from an applicant and the applicant submits the requested  
 141 additional information to the local government ~~within 30 days~~  
 142 ~~after receiving the request~~, the local government must, within 9  
 143 calendar ~~15~~ days after receiving such information:

- 144 a. Determine if the application is properly completed;
- 145 b. Approve the application;
- 146 c. Approve the application with conditions;
- 147 ~~d. Deny the application; or~~
- 148 d.e. Advise the applicant in writing of information, if  
 149 any, that is needed to ~~deem the application properly completed~~  
 150 ~~or to~~ determine the sufficiency of the application.

151 ~~3. If a local government makes a second request for~~  
152 ~~additional information from the applicant and the applicant~~  
153 ~~submits the requested additional information to the local~~  
154 ~~government within 30 days after receiving the request, the local~~  
155 ~~government must, within 10 days after receiving such~~  
156 ~~information:~~

- 157 ~~a. Determine if the application is properly completed;~~  
158 ~~b. Approve the application;~~  
159 ~~c. Approve the application with conditions;~~  
160 ~~d. Deny the application; or~~  
161 ~~e. Advise the applicant of information, if any, that is~~  
162 ~~needed to deem the application properly completed or to~~  
163 ~~determine the sufficiency of the application.~~

164 ~~3.4.~~ Before a second ~~third~~ request for additional  
165 information may be made, the local government must offer the  
166 applicant ~~must be offered~~ an opportunity to meet in person or  
167 virtually with the local government to attempt to resolve  
168 outstanding issues. The meeting must occur within 5 calendar  
169 days after the applicant notifies the local government in  
170 writing that he or she wants an in-person or virtual meeting  
171 unless the applicant agrees to a longer time period in writing.

172 4. If a local government makes a second ~~third~~ request for  
173 additional information from the applicant and the applicant  
174 submits the requested additional information to the local  
175 government ~~within 30 days after receiving the request,~~ the local

176 government must, within 9 calendar ~~10~~ days after receiving such  
 177 information unless the applicant waived the local government's  
 178 time limitation in writing, determine that the application is  
 179 complete and:

- 180 a. Approve the application;
- 181 b. Approve the application with conditions; or
- 182 c. Deny the application and provide the applicant with  
 183 sufficient reason for such denial.

184 5. If the applicant believes the request for additional  
 185 information is not authorized by ordinance, rule, statute, or  
 186 other legal authority, the local government, at the applicant's  
 187 written request, must process the application within 9 calendar  
 188 days after receipt of the request and ~~either~~ approve the  
 189 application, approve the application with conditions, or deny  
 190 the application and provide the applicant with sufficient reason  
 191 for such denial.

192 6. If a local government does not notify the applicant  
 193 that the application is approved, approved with conditions, or  
 194 denied within 9 calendar days after the local government  
 195 receives the additional information requested under subparagraph  
 196 4., the application is deemed approved.

197 (d) The following timeframes apply for single-family or  
 198 two-family dwellings or townhomes located within a master plan  
 199 community for which the permit for the master plan community has  
 200 already been approved under s. 553.794:



HB 671

2023

201        1. After an applicant submits an application to the local  
202 government, the local government must provide written notice to  
203 the applicant within 1 calendar day after receipt of the  
204 application advising the applicant what information, if any, is  
205 needed to deem the application properly completed in compliance  
206 with the filing requirements published by the local government.  
207 If the local government does not provide timely written notice  
208 that the applicant has not submitted a properly completed  
209 application, the application is automatically deemed properly  
210 completed and approved.

211        2. Within 5 calendar days after receiving a completed  
212 application, a local government must provide written notice to  
213 an applicant if additional information is required for the local  
214 government to determine the sufficiency of the application, and  
215 the notice must specify the additional information that is  
216 required. The applicant may submit the additional information to  
217 the local government or request that the local government act  
218 without the additional information.

219        3. When reviewing an application under this paragraph, a  
220 local government may not request additional information from the  
221 applicant more than once, unless the applicant waives such  
222 limitation in writing.

223        4. If a local government requests additional information  
224 from the applicant and the applicant submits the requested  
225 additional information to the local government, the local

HB 671

2023

226 government must, within 5 calendar days after receiving such  
227 information unless the applicant waived the local government's  
228 time limitation in writing, determine that the application is  
229 complete and:

230 a. Approve the application;

231 b. Approve the application with conditions; or

232 c. Deny the application and provide the applicant with  
233 sufficient reason for such denial.

234 5. If a local government does not notify the applicant  
235 that the application is approved, approved with conditions, or  
236 denied within 5 calendar days after the local government  
237 receives the additional information requested under subparagraph  
238 4., the application is deemed approved.

239 6. If an owner or contractor retains a private provider  
240 for purposes of plans review, the timeframes in subparagraphs  
241 2., 4., and 5. are reduced to 3 calendar days.

242 (e) A building permit for a single-family residential  
243 dwelling applied for by a contractor licensed in this state on  
244 behalf of a property owner who participates in a Community  
245 Development Block Grant-Disaster Recovery program administered  
246 by the Department of Economic Opportunity must be issued within  
247 9 calendar days after receipt of the application unless the  
248 permit application fails to satisfy the Florida Building Code or  
249 the enforcing agency's laws or ordinances.

250 (f)-(e) If a local government fails to meet a deadline set

HB 671

2023

251 under this subsection ~~provided in paragraphs (a) and (b)~~, it  
252 must reduce the building permit fee by 10 percent for each  
253 calendar business day that it fails to meet the deadline, unless  
254 the parties agree in writing to a reasonable extension of time.  
255 Each 10-percent reduction shall be based on the original amount  
256 of the building permit fee, unless the parties agree to an  
257 extension of time.

258 (2) (a) The procedures set forth in subsection (1) apply to  
259 the following building permit applications: accessory structure;  
260 alarm permit; nonresidential buildings less than 25,000 square  
261 feet; electric; irrigation permit; landscaping; mechanical;  
262 plumbing; residential units including ~~other than a single-family~~  
263 residential single-family unit or a single-family residential  
264 dwelling; multifamily residential not exceeding 50 units;  
265 roofing; signs; site-plan approvals and subdivision plats not  
266 requiring public hearings or public notice; and lot grading and  
267 site alteration associated with the permit application set forth  
268 in this subsection. The procedures set forth in subsection (1)  
269 do not apply to permits for any wireless communications  
270 facilities ~~or when a law, agency rule, or local ordinance~~  
271 ~~specify different timeframes for review of local building permit~~  
272 ~~applications.~~

273 (b) ~~If~~ A local government must meet ~~has different~~  
274 ~~timeframes than~~ the timeframes set forth in subsection (1) for  
275 reviewing building permit applications described in paragraph

276 (a) unless the timeframes set, ~~the local government must meet~~  
 277 ~~the deadlines established~~ by local ordinance are more stringent  
 278 than those prescribed in subsection (1). ~~If a local government~~  
 279 ~~does not meet an established deadline to approve, approve with~~  
 280 ~~conditions, or deny an application, it must reduce the building~~  
 281 ~~permit fee by 10 percent for each business day that it fails to~~  
 282 ~~meet the deadline. Each 10-percent reduction shall be based on~~  
 283 ~~the original amount of the building permit fee, unless the~~  
 284 ~~parties agree to an extension of time. This paragraph does not~~  
 285 ~~apply to permits for any wireless communications facilities.~~

286 Section 4. Section 440.103, Florida Statutes, is amended  
 287 to read:

288 440.103 Building permits; identification of minimum  
 289 premium policy.—Every employer shall, as a condition to applying  
 290 for and receiving a building permit, show proof and certify to  
 291 the permit issuer that it has secured compensation for its  
 292 employees under this chapter as provided in ss. 440.10 and  
 293 440.38. Such proof of compensation must be evidenced by a  
 294 certificate of coverage issued by the carrier, a valid exemption  
 295 certificate approved by the department, or a copy of the  
 296 employer's authority to self-insure and shall be presented,  
 297 electronically or physically, each time the employer applies for  
 298 a building permit. As provided in s. 553.79(22) ~~s. 553.79(23)~~,  
 299 for the purpose of inspection and record retention, site plans  
 300 or building permits may be maintained at the worksite in the

HB 671

2023

301 original form or in the form of an electronic copy. These plans  
302 and permits must be open to inspection by the building official  
303 or a duly authorized representative, as required by the Florida  
304 Building Code. As provided in s. 627.413(5), each certificate of  
305 coverage must show, on its face, whether or not coverage is  
306 secured under the minimum premium provisions of rules adopted by  
307 rating organizations licensed pursuant to s. 627.221. The words  
308 "minimum premium policy" or equivalent language shall be typed,  
309 printed, stamped, or legibly handwritten.

310 Section 5. This act shall take effect July 1, 2023.