



709506

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/28/2023 02:54 PM	.	05/03/2023 05:17 PM
	.	

Senator Hooper moved 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,



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

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



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40 have its plans reviewed by the firesafety inspector.

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

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

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



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69 permitholder in writing.

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

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

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

82 633.208 Minimum firesafety standards.—

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

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

95 (c) After a municipality, county, or special district
96 issues a building permit, it may not make or require any
97 substantive changes to the building plans except those required



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

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

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

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

114 And the title is amended as follows:

115 Delete everything before the enacting clause
116 and insert:

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



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