

1 A bill to be entitled

2 An act relating to building regulations; amending s.
3 399.035, F.S.; revising support rail requirements for
4 elevators; amending s. 468.609, F.S.; providing that
5 an internship program for residential inspectors meets
6 certain eligibility requirements for certification as
7 a building code inspector or plans examiner; amending
8 s. 553.73, F.S.; requiring the Florida Building
9 Commission to modify provisions in the Florida
10 Building Code relating to replacement windows, doors,
11 or garage doors in specified existing dwellings or
12 townhouses; providing requirements for such
13 modifications; defining the term "windborne debris
14 region"; amending s. 553.79, F.S.; removing provisions
15 relating to acquiring building permits for certain
16 residential dwellings; amending s. 553.791, F.S.;
17 revising the timeframes in which local building
18 officials must issue permits or provide certain
19 written notice if certain private providers affix
20 their industry seal to an affidavit; providing
21 requirements for such written notices; deeming a
22 permit application approved under certain
23 circumstances; conforming provisions to changes made
24 by the act; amending s. 553.792, F.S.; revising the
25 timeframes for approving, approving with conditions,

26 | or denying certain building permits; prohibiting a
 27 | local government from requiring a waiver of certain
 28 | timeframes; requiring local governments to follow the
 29 | prescribed timeframes unless a local ordinance is more
 30 | stringent; requiring a local government to provide
 31 | written notice to an applicant under certain
 32 | circumstances; revising how many times a local
 33 | government may request additional information from an
 34 | applicant; specifying when a permit application is
 35 | deemed complete and approved; requiring the
 36 | opportunity for an in-person or virtual meeting before
 37 | a second request for additional information may be
 38 | made; requiring a local government to process an
 39 | application within a specified timeframe without
 40 | additional information upon written request by the
 41 | applicant; reducing permit fees by a certain
 42 | percentage if certain timeframes are not met;
 43 | providing exceptions; providing construction;
 44 | conforming provisions to changes made by the act;
 45 | amending s. 553.80, F.S.; authorizing local
 46 | governments to use certain fees for certain technology
 47 | upgrades; creating s. 553.9065, F.S.; providing that
 48 | certain unvented attic and unvented enclosed rafter
 49 | assemblies meet the requirements of the Florida
 50 | Building Code, Energy Conservation; requiring the

51 commission to review and consider certain provisions
 52 of law and technical amendments thereto and report its
 53 findings to the Legislature by a specified date;
 54 amending s. 440.103, F.S.; conforming a cross-
 55 reference; providing effective dates.

56
 57 Be It Enacted by the Legislature of the State of Florida:
 58

59 Section 1. Paragraph (b) of subsection (1) of section
 60 399.035, Florida Statutes, is amended to read:

61 399.035 Elevator accessibility requirements for the
 62 physically handicapped.—

63 (1) Each elevator, the installation of which is begun
 64 after October 1, 1990, must be made accessible to physically
 65 handicapped persons with the following requirements:

66 (b) Each elevator car interior must have a support rail on
 67 at least one wall. All support rails must be smooth and have no
 68 sharp edges and must not be more than 1 1/2 inches thick or 2
 69 1/2 inches in diameter. At least one support rail ~~rails~~ must be
 70 continuous and a minimum length of 42 inches overall. The inside
 71 surface of support rails must be 1 1/2 inches clear of the car
 72 wall. The distance from the top of the support rail to the
 73 finished car floor must be at least 31 inches and not more than
 74 33 inches. Padded or tufted material or decorative materials
 75 such as wallpaper, vinyl, cloth, or the like may not be used on

76 support rails.

77 Section 2. Paragraph (c) of subsection (2) of section
78 468.609, Florida Statutes, is amended to read:

79 468.609 Administration of this part; standards for
80 certification; additional categories of certification.—

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

84 (c) Meets eligibility requirements according to one of the
85 following criteria:

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

89 2. Demonstrates a combination of postsecondary education
90 in the field of construction or a related field and experience
91 which totals 3 years, with at least 1 year of such total being
92 experience in construction, building code inspection, or plans
93 review;

94 3. Demonstrates a combination of technical education in
95 the field of construction or a related field and experience
96 which totals 3 years, with at least 1 year of such total being
97 experience in construction, building code inspection, or plans
98 review;

99 4. Currently holds a standard certificate issued by the
100 board or a firesafety inspector license issued under chapter

101 633, with a minimum of 3 years' verifiable full-time experience
102 in firesafety inspection or firesafety plan review, and has
103 satisfactorily completed a building code inspector or plans
104 examiner training program that provides at least 100 hours but
105 not more than 200 hours of cross-training in the certification
106 category sought. The board shall establish by rule criteria for
107 the development and implementation of the training programs. The
108 board must accept all classroom training offered by an approved
109 provider if the content substantially meets the intent of the
110 classroom component of the training program;

111 5. Demonstrates a combination of the completion of an
112 approved training program in the field of building code
113 inspection or plan review and a minimum of 2 years' experience
114 in the field of building code inspection, plan review, fire code
115 inspections and fire plans review of new buildings as a
116 firesafety inspector certified under s. 633.216, or
117 construction. The approved training portion of this requirement
118 must include proof of satisfactory completion of a training
119 program that provides at least 200 hours but not more than 300
120 hours of cross-training that is approved by the board in the
121 chosen category of building code inspection or plan review in
122 the certification category sought with at least 20 hours but not
123 more than 30 hours of instruction in state laws, rules, and
124 ethics relating to professional standards of practice, duties,
125 and responsibilities of a certificateholder. The board shall

126 coordinate with the Building Officials Association of Florida,
127 Inc., to establish by rule the development and implementation of
128 the training program. However, the board must accept all
129 classroom training offered by an approved provider if the
130 content substantially meets the intent of the classroom
131 component of the training program;

132 6. Currently holds a standard certificate issued by the
133 board or a firesafety inspector license issued under chapter 633
134 and:

135 a. Has at least 4 years' verifiable full-time experience
136 as an inspector or plans examiner in a standard certification
137 category currently held or has a minimum of 4 years' verifiable
138 full-time experience as a firesafety inspector licensed under
139 chapter 633.

140 b. Has satisfactorily completed a building code inspector
141 or plans examiner classroom training course or program that
142 provides at least 200 but not more than 300 hours in the
143 certification category sought, except for residential training
144 programs, which must provide at least 500 but not more than 800
145 hours of training as prescribed by the board. The board shall
146 establish by rule criteria for the development and
147 implementation of classroom training courses and programs in
148 each certification category; or

149 7.a. Has completed a 4-year internship certification
150 program as a building code inspector or plans examiner, l

151 including an internship program for residential inspectors,
152 while also employed full-time by a municipality, county, or
153 other governmental jurisdiction, under the direct supervision of
154 a certified building official. A person may also complete the
155 internship certification program, including an internship
156 program for residential inspectors, while employed full time by
157 a private provider or a private provider's firm that performs
158 the services of a building code inspector or plans examiner,
159 while under the direct supervision of a certified building
160 official. Proof of graduation with a related vocational degree
161 or college degree or of verifiable work experience may be
162 exchanged for the internship experience requirement year-for-
163 year, but may reduce the requirement to no less than 1 year.

164 b. Has passed an examination administered by the
165 International Code Council in the certification category sought.
166 Such examination must be passed before beginning the internship
167 certification program.

168 c. Has passed the principles and practice examination
169 before completing the internship certification program.

170 d. Has passed a board-approved 40-hour code training
171 course in the certification category sought before completing
172 the internship certification program.

173 e. Has obtained a favorable recommendation from the
174 supervising building official after completion of the internship
175 certification program.

176 Section 3. Paragraphs (g) and (h) are added to subsection
 177 (7) of section 553.73, Florida Statutes, to read:

178 553.73 Florida Building Code.—

179 (7)

180 (g) The commission shall modify the Florida Building Code
 181 to state that sealed drawings by a design professional are not
 182 required for the replacement of windows, doors, or garage doors
 183 in an existing one-family or two-family dwelling or townhouse if
 184 all of the following conditions are met:

185 1. The replacement windows, doors, or garage doors are
 186 installed in accordance with the manufacturer's instructions for
 187 the appropriate wind zone.

188 2. The replacement windows, doors, or garage doors meet
 189 the design pressure requirements in the most recent version of
 190 the Florida Building Code, Residential.

191 3. A copy of the manufacturer's instructions is submitted
 192 with the permit application in a printed or digital format.

193 4. The replacement windows, doors, or garage doors are the
 194 same size and are installed in the same opening as the existing
 195 windows, doors, or garage doors.

196 (h) The term "windborne debris region" has the same
 197 meaning as in the Florida Building Code, 7th Edition (2020)
 198 Residential, until the adoption of the 9th Edition of the
 199 Florida Building Code.

200 Section 4. Subsection (16) of section 553.79, Florida

201 Statutes, is amended to read:

202 553.79 Permits; applications; issuance; inspections.—

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

208 ~~(a) If a local enforcement agency fails to issue a~~
 209 ~~building permit for a single-family residential dwelling within~~
 210 ~~30 business days after receiving the permit application, it must~~
 211 ~~reduce the building permit fee by 10 percent for each business~~
 212 ~~day that it fails to meet the deadline. Each 10-percent~~
 213 ~~reduction shall be based on the original amount of the building~~
 214 ~~permit fee.~~

215 ~~(b) A local enforcement agency does not have to reduce the~~
 216 ~~building permit fee if it provides written notice to the~~
 217 ~~applicant, by e-mail or United States Postal Service, within 30~~
 218 ~~business days after receiving the permit application, that~~
 219 ~~specifically states the reasons the permit application fails to~~
 220 ~~satisfy the Florida Building Code or the enforcing agency's laws~~
 221 ~~or ordinances. The written notice must also state that the~~
 222 ~~applicant has 10 business days after receiving the written~~
 223 ~~notice to submit revisions to correct the permit application and~~
 224 ~~that failure to correct the application within 10 business days~~
 225 ~~will result in a denial of the application.~~

226 ~~(c) The applicant has 10 business days after receiving the~~
227 ~~written notice to address the reasons specified by the local~~
228 ~~enforcement agency and submit revisions to correct the permit~~
229 ~~application. If the applicant submits revisions within 10~~
230 ~~business days after receiving the written notice, the local~~
231 ~~enforcement agency has 10 business days after receiving such~~
232 ~~revisions to approve or deny the building permit unless the~~
233 ~~applicant agrees to a longer period in writing. If the local~~
234 ~~enforcement agency fails to issue or deny the building permit~~
235 ~~within 10 business days after receiving the revisions, it must~~
236 ~~reduce the building permit fee by 20 percent for the first~~
237 ~~business day that it fails to meet the deadline unless the~~
238 ~~applicant agrees to a longer period in writing. For each~~
239 ~~additional business day, but not to exceed 5 business days, that~~
240 ~~the local enforcement agency fails to meet the deadline, the~~
241 ~~building permit fee must be reduced by an additional 10 percent.~~
242 ~~Each reduction shall be based on the original amount of the~~
243 ~~building permit fee.~~

244 ~~(d) If any building permit fees are refunded under this~~
245 ~~subsection, the surcharges provided in s. 468.631 or s. 553.721~~
246 ~~must be recalculated based on the amount of the building permit~~
247 ~~fees after the refund.~~

248 ~~(e) A building permit for a single-family residential~~
249 ~~dwelling applied for by a contractor licensed in this state on~~
250 ~~behalf of a property owner who participates in a Community~~

251 ~~Development Block Grant-Disaster Recovery program administered~~
252 ~~by the Department of Economic Opportunity must be issued within~~
253 ~~15 working days after receipt of the application unless the~~
254 ~~permit application fails to satisfy the Florida Building Code or~~
255 ~~the enforcing agency's laws or ordinances.~~

256 Section 5. Paragraphs (a), (b), and (c) of subsection (7)
257 of section 553.791, Florida Statutes, are amended to read:

258 553.791 Alternative plans review and inspection.—

259 (7)(a)1. No more than 20 business days after receipt of a
260 permit application and the affidavit from the private provider
261 required pursuant to subsection (6), the local building official
262 shall issue the requested permit or provide a written notice to
263 the permit applicant identifying the specific plan features that
264 do not comply with the applicable codes, as well as the specific
265 code chapters and sections. If the local building official does
266 not provide a written notice of the plan deficiencies within the
267 prescribed 20-day period, the permit application shall be deemed
268 approved as a matter of law, and the permit shall be issued by
269 the local building official on the next business day.

270 2. If the private provider is a person licensed as a
271 professional engineer under chapter 471 or an architect under
272 chapter 481 and affixes his or her industry seal to the
273 affidavit required under subsection (6), the local building
274 official must issue the requested permit or provide a written
275 notice to the permit applicant identifying the specific plan

276 features that do not comply with the applicable codes, as well
277 as the specific code chapters and sections, within 10 business
278 days after receipt of the permit application and affidavit. In
279 such written notice, the local building official must state with
280 specificity the plan's deficiencies, the reasons the permit
281 application failed, and the applicable codes being violated. If
282 the local building official does not provide specific written
283 notice to the permit applicant within the prescribed 10-day
284 period, the permit application is deemed approved as a matter of
285 law, and the local building official must issue the permit on
286 the next business day.

287 (b) If the local building official provides a written
288 notice of plan deficiencies to the permit applicant within the
289 prescribed time period in paragraph (a) ~~20-day period~~, the time
290 ~~20-day~~ period is ~~shall be~~ tolled pending resolution of the
291 matter. To resolve the plan deficiencies, the permit applicant
292 may elect to dispute the deficiencies pursuant to subsection
293 (14) or to submit revisions to correct the deficiencies.

294 (c) If the permit applicant submits revisions, the local
295 building official has the remainder of the tolled time ~~20-day~~
296 period plus 5 business days after ~~from~~ the date of resubmittal
297 to issue the requested permit or to provide a second written
298 notice to the permit applicant stating which of the previously
299 identified plan features remain in noncompliance with the
300 applicable codes, with specific reference to the relevant code

301 chapters and sections. Any subsequent review by the local
302 building official is limited to the deficiencies cited in the
303 written notice. If the local building official does not provide
304 the second written notice within the prescribed time period, the
305 permit is ~~shall be~~ deemed approved as a matter of law, and the
306 local building official must issue the permit on the next
307 business day.

308 Section 6. Subsections (1) and (2) of section 553.792,
309 Florida Statutes, are amended to read:

310 553.792 Building permit application to local government.—

311 (1)(a) A local government must approve, approve with
312 conditions, or deny a building permit application after receipt
313 of a completed and sufficient application within the following
314 timeframes, unless the applicant waives such timeframes in
315 writing:

316 1. For an applicant using a local government plans
317 reviewer to obtain a building permit, within 30 business days
318 after receiving a complete and sufficient application.

319 2. For an applicant using a private provider consistent
320 with s. 553.791 to obtain a building permit, within 15 business
321 days after receiving a complete and sufficient application.

322 3. For an applicant for a master plan permit, within 10
323 business days after receiving a complete and sufficient
324 application.

325 4. For an applicant for a single-family residential

326 dwelling applied for by a contractor licensed in this state on
327 behalf of a property owner who participates in a Community
328 Development Block Grant-Disaster Recovery program administered
329 by the Department of Commerce, within 10 business days after
330 receipt of the application unless the permit application fails
331 to satisfy the Florida Building Code or the enforcing agency's
332 laws or ordinances.

333 5. For an applicant for a multifamily residential unit,
334 within 60 business days after receiving a complete and
335 sufficient application.

336
337 If the local government does not approve, approve with
338 conditions, or deny the completed and sufficient application
339 within the required timeframes in this paragraph, the
340 application is deemed or determined to be approved. A local
341 government may not require a waiver of the timeframes in this
342 section as a condition to review an application for a building
343 permit.

344 (b) A local government must meet the timeframes set forth
345 in this section for reviewing building permit applications
346 unless the timeframes set by local ordinance are more stringent
347 than those prescribed in this section.

348 (c) After ~~Within 10 days of~~ an applicant submits
349 ~~submitting~~ an application to the local government, the local
350 government must provide written notice to the applicant within 5

351 business days after receipt of the application advising ~~shall~~
 352 ~~advise~~ the applicant what information, if any, is needed to deem
 353 or determine that the application is properly completed in
 354 compliance with the filing requirements published by the local
 355 government. If the local government does not provide timely
 356 written notice that the applicant has not submitted a ~~the~~
 357 properly completed application, the application is ~~shall be~~
 358 automatically deemed or determined to be properly completed and
 359 accepted.

360 (d)1. Within 10 business ~~45~~ days after providing written
 361 notice to the applicant that his or her application is properly
 362 completed or upon receipt of any information needed to deem the
 363 application complete ~~receiving a completed application~~, a local
 364 government must provide written notice to ~~notify~~ an applicant if
 365 additional information is required for the local government to
 366 determine the sufficiency of the application, and the notice
 367 must ~~shall~~ specify the additional information that is required.
 368 The applicant may ~~must~~ submit the additional information to the
 369 local government or request that the local government act
 370 without the additional information. When reviewing an
 371 application for a building permit, a local government may not
 372 request additional information from the applicant more than two
 373 times unless the applicant waives such limitation in writing.
 374 The local government's second request for information must be
 375 made within 10 business days after the local government receives

376 the additional information indicated in the first request. The
 377 local government must determine the sufficiency of the
 378 application within 10 business days after receiving the
 379 additional information from a second request. If the local
 380 government does not provide to the applicant timely written
 381 notice that the applicant must submit additional information to
 382 determine whether the application is sufficient, the application
 383 is automatically deemed or determined to be sufficient.

384 2. Before a second request for additional information may
 385 be made, the local government must offer the applicant an
 386 opportunity to meet in person or virtually with the local
 387 government to attempt to resolve outstanding issues.

388 3. If an applicant believes a request for additional
 389 information is not authorized by ordinance, rule, statute, or
 390 other legal authority, the local government, at the applicant's
 391 written request, must process the application within 10 business
 392 days after receipt of such request and approve the application,
 393 approve the application with conditions, or deny the application
 394 and provide the applicant with sufficient reason for such
 395 denial. While the applicant responds to the request for
 396 additional information, the 120-day period described in this
 397 subsection is tolled. Both parties may agree to a reasonable
 398 request for an extension of time, particularly in the event of a
 399 force majeure or other extraordinary circumstance. The local
 400 government must approve, approve with conditions, or deny the

401 ~~application within 120 days following receipt of a completed~~
402 ~~application.~~

403 (e) A local government shall maintain on its website a
404 policy containing procedures and expectations for expedited
405 processing of those building permits and development orders
406 required by law to be expedited.

407 ~~(b)1. When reviewing an application for a building permit,~~
408 ~~a local government may not request additional information from~~
409 ~~the applicant more than three times, unless the applicant waives~~
410 ~~such limitation in writing.~~

411 ~~2. If a local government requests additional information~~
412 ~~from an applicant and the applicant submits the requested~~
413 ~~additional information to the local government within 30 days~~
414 ~~after receiving the request, the local government must, within~~
415 ~~15 days after receiving such information:~~

416 ~~a. Determine if the application is properly completed;~~

417 ~~b. Approve the application;~~

418 ~~c. Approve the application with conditions;~~

419 ~~d. Deny the application; or~~

420 ~~e. Advise the applicant of information, if any, that is~~
421 ~~needed to deem the application properly completed or to~~
422 ~~determine the sufficiency of the application.~~

423 ~~3. If a local government makes a second request for~~
424 ~~additional information from the applicant and the applicant~~
425 ~~submits the requested additional information to the local~~

426 ~~government within 30 days after receiving the request, the local~~
 427 ~~government must, within 10 days after receiving such~~
 428 ~~information:~~

429 ~~a. Determine if the application is properly completed;~~

430 ~~b. Approve the application;~~

431 ~~c. Approve the application with conditions;~~

432 ~~d. Deny the application; or~~

433 ~~e. Advise the applicant of information, if any, that is~~
 434 ~~needed to deem the application properly completed or to~~
 435 ~~determine the sufficiency of the application.~~

436 ~~4. Before a third request for additional information may~~
 437 ~~be made, the applicant must be offered an opportunity to meet~~
 438 ~~with the local government to attempt to resolve outstanding~~
 439 ~~issues. If a local government makes a third request for~~
 440 ~~additional information from the applicant and the applicant~~
 441 ~~submits the requested additional information to the local~~
 442 ~~government within 30 days after receiving the request, the local~~
 443 ~~government must, within 10 days after receiving such information~~
 444 ~~unless the applicant waived the local government's limitation in~~
 445 ~~writing, determine that the application is complete and:~~

446 ~~a. Approve the application;~~

447 ~~b. Approve the application with conditions; or~~

448 ~~c. Deny the application.~~

449 ~~5. If the applicant believes the request for additional~~
 450 ~~information is not authorized by ordinance, rule, statute, or~~

451 ~~other legal authority, the local government, at the applicant's~~
 452 ~~request, must process the application and either approve the~~
 453 ~~application, approve the application with conditions, or deny~~
 454 ~~the application.~~

455 (f)-(e) If a local government fails to meet a deadline
 456 under this subsection provided in paragraphs (a) and (b), it
 457 must reduce the building permit fee by 10 percent for each
 458 business day that it fails to meet the deadline, unless the
 459 parties agree in writing to a reasonable extension of time, the
 460 delay is caused by the applicant, or the delay is attributable
 461 to a force majeure or other extraordinary circumstances. Each
 462 10-percent reduction shall be based on the original amount of
 463 the building permit fee, unless the parties agree to an
 464 extension of time.

465 (2)~~(a)~~ The procedures set forth in subsection (1) apply to
 466 the following building permit applications: accessory structure;
 467 alarm permit; nonresidential buildings less than 25,000 square
 468 feet; electric; irrigation permit; landscaping; mechanical;
 469 plumbing; residential units including a single-family
 470 residential ~~other than a single family unit~~ or a single-family
 471 residential dwelling; multifamily residential not exceeding 50
 472 units; roofing; signs; site-plan approvals and subdivision plats
 473 not requiring public hearings or public notice; and lot grading
 474 and site alteration associated with the permit application set
 475 forth in this subsection. The procedures set forth in subsection

476 (1) do not apply to permits for any wireless communications
 477 facilities ~~or when a law, agency rule, or local ordinance~~
 478 ~~specify different timeframes for review of local building permit~~
 479 ~~applications.~~

480 ~~(b) If A local government has different timeframes than~~
 481 ~~the timeframes set forth in subsection (1) for reviewing~~
 482 ~~building permit applications described in paragraph (a), the~~
 483 ~~local government must meet the deadlines established by local~~
 484 ~~ordinance. If a local government does not meet an established~~
 485 ~~deadline to approve, approve with conditions, or deny an~~
 486 ~~application, it must reduce the building permit fee by 10~~
 487 ~~percent for each business day that it fails to meet the~~
 488 ~~deadline. Each 10-percent reduction shall be based on the~~
 489 ~~original amount of the building permit fee, unless the parties~~
 490 ~~agree to an extension of time. This paragraph does not apply to~~
 491 ~~permits for any wireless communications facilities.~~

492 Section 7. Paragraph (a) of subsection (7) of section
 493 553.80, Florida Statutes, is amended to read:

494 553.80 Enforcement.—

495 (7) (a) The governing bodies of local governments may
 496 provide a schedule of reasonable fees, as authorized by s.
 497 125.56(2) or s. 166.222 and this section, for enforcing this
 498 part. These fees, and any fines or investment earnings related
 499 to the fees, may only ~~shall~~ be used ~~solely~~ for carrying out the
 500 local government's responsibilities in enforcing the Florida

501 Building Code, including upgrading technology hardware and
502 software systems that are used in enforcement. When providing a
503 schedule of reasonable fees, the total estimated annual revenue
504 derived from fees, and the fines and investment earnings related
505 to the fees, may not exceed the total estimated annual costs of
506 allowable activities. Any unexpended balances must be carried
507 forward to future years for allowable activities or must be
508 refunded at the discretion of the local government. A local
509 government may not carry forward an amount exceeding the average
510 of its operating budget for enforcing the Florida Building Code
511 for the previous 4 fiscal years. For purposes of this
512 subsection, the term "operating budget" does not include reserve
513 amounts. Any amount exceeding this limit must be used as
514 authorized in subparagraph 2. However, a local government that
515 established, as of January 1, 2019, a Building Inspections Fund
516 Advisory Board consisting of five members from the construction
517 stakeholder community and carries an unexpended balance in
518 excess of the average of its operating budget for the previous 4
519 fiscal years may continue to carry such excess funds forward
520 upon the recommendation of the advisory board. The basis for a
521 fee structure for allowable activities must relate to the level
522 of service provided by the local government and must include
523 consideration for refunding fees due to reduced services based
524 on services provided as prescribed by s. 553.791, but not
525 provided by the local government. Fees charged must be

526 consistently applied.

527 1. As used in this subsection, the phrase "enforcing the
528 Florida Building Code" includes the direct costs and reasonable
529 indirect costs associated with review of building plans,
530 building inspections, reinspections, and building permit
531 processing; building code enforcement; and fire inspections
532 associated with new construction. The phrase may also include
533 training costs associated with the enforcement of the Florida
534 Building Code and enforcement action pertaining to unlicensed
535 contractor activity to the extent not funded by other user fees.

536 2. A local government must use any excess funds that it is
537 prohibited from carrying forward to rebate and reduce fees, or
538 to pay for the construction of a building or structure that
539 houses a local government's building code enforcement agency or
540 the training programs for building officials, inspectors, or
541 plans examiners associated with the enforcement of the Florida
542 Building Code. Excess funds used to construct such a building or
543 structure must be designated for such purpose by the local
544 government and may not be carried forward for more than 4
545 consecutive years. An owner or builder who has a valid building
546 permit issued by a local government for a fee, or an association
547 of owners or builders located in the state that has members with
548 valid building permits issued by a local government for a fee,
549 may bring a civil action against the local government that
550 issued the permit for a fee to enforce this subparagraph.

- 551 3. The following activities may not be funded with fees
 552 adopted for enforcing the Florida Building Code:
- 553 a. Planning and zoning or other general government
 554 activities.
 - 555 b. Inspections of public buildings for a reduced fee or no
 556 fee.
 - 557 c. Public information requests, community functions,
 558 boards, and any program not directly related to enforcement of
 559 the Florida Building Code.
 - 560 d. Enforcement and implementation of any other local
 561 ordinance, excluding validly adopted local amendments to the
 562 Florida Building Code and excluding any local ordinance directly
 563 related to enforcing the Florida Building Code as defined in
 564 subparagraph 1.
- 565 4. A local government must use recognized management,
 566 accounting, and oversight practices to ensure that fees, fines,
 567 and investment earnings generated under this subsection are
 568 maintained and allocated or used solely for the purposes
 569 described in subparagraph 1.
- 570 5. The local enforcement agency, independent district, or
 571 special district may not require at any time, including at the
 572 time of application for a permit, the payment of any additional
 573 fees, charges, or expenses associated with:
- 574 a. Providing proof of licensure under chapter 489;
 - 575 b. Recording or filing a license issued under this

576 chapter;

577 c. Providing, recording, or filing evidence of workers'
578 compensation insurance coverage as required by chapter 440; or

579 d. Charging surcharges or other similar fees not directly
580 related to enforcing the Florida Building Code.

581 Section 8. Effective July 1, 2025, section 553.9065,
582 Florida Statutes, is created to read:

583 553.9065 Thermal efficiency standards for unvented attic
584 and unvented enclosed rafter assemblies.—

585 (1) Unvented attic and unvented enclosed rafter assemblies
586 that are insulated and air sealed with a minimum of R-20 air-
587 impermeable insulation meet the requirements of sections R402 of
588 the Florida Building Code, 8th Edition (2023), Energy
589 Conservation, if all of the following apply:

590 (a) The building has a blower door test result of less
591 than 3 ACH50.

592 (b) The building has a positive input ventilation system
593 or a balanced or hybrid whole-house mechanical ventilation
594 system.

595 (c) If the insulation is installed below the roof deck and
596 the exposed portion of roof rafters is not already covered by
597 the R-20 air-impermeable insulation, the exposed portion of the
598 roof rafters is insulated by a minimum of R-3 air-impermeable
599 insulation unless directly covered by a finished ceiling. Roof
600 rafters are not required to be covered by a minimum of R-3 air-

601 impermeable insulation if continuous insulation is installed
602 above the roof deck.

603 (d) All indoor heating, cooling, and ventilation equipment
604 and ductwork is inside the building thermal envelope.

605 (2) The commission shall review and consider this section
606 and any technical changes thereto and report such findings to
607 the Legislature by December 31, 2024.

608 Section 9. Section 440.103, Florida Statutes, is amended
609 to read:

610 440.103 Building permits; identification of minimum
611 premium policy.—Every employer shall, as a condition to applying
612 for and receiving a building permit, show proof and certify to
613 the permit issuer that it has secured compensation for its
614 employees under this chapter as provided in ss. 440.10 and
615 440.38. Such proof of compensation must be evidenced by a
616 certificate of coverage issued by the carrier, a valid exemption
617 certificate approved by the department, or a copy of the
618 employer's authority to self-insure and shall be presented,
619 electronically or physically, each time the employer applies for
620 a building permit. As provided in s. 553.79(23) ~~s. 553.79(24)~~,
621 for the purpose of inspection and record retention, site plans
622 or building permits may be maintained at the worksite in the
623 original form or in the form of an electronic copy. These plans
624 and permits must be open to inspection by the building official
625 or a duly authorized representative, as required by the Florida

626 Building Code. As provided in s. 627.413(5), each certificate of
627 coverage must show, on its face, whether or not coverage is
628 secured under the minimum premium provisions of rules adopted by
629 rating organizations licensed pursuant to s. 627.221. The words
630 "minimum premium policy" or equivalent language shall be typed,
631 printed, stamped, or legibly handwritten.

632 Section 10. Except as otherwise expressly provided in this
633 act and except for this section, which shall take effect upon
634 this act becoming a law, this act shall take effect January 1,
635 2025.