

1                                   A bill to be entitled  
2           An act relating to building regulations; amending s.  
3           553.73, F.S.; requiring the Florida Building  
4           Commission to modify provisions in the Florida  
5           Building Code relating to replacement windows, doors,  
6           or garage doors; providing requirements for such  
7           modifications; amending s. 553.79, F.S.; removing  
8           provisions relating to acquiring building permits for  
9           certain residential dwellings; amending s. 553.791,  
10          F.S.; defining the term "private provider firm";  
11          revising the timeframes in which local building  
12          officials must issue permits or provide certain  
13          written notice if certain private providers affix  
14          their professional seal to an affidavit; providing  
15          requirements for such written notices; deeming a  
16          permit application approved under certain  
17          circumstances; prohibiting local building code  
18          enforcement agency's from auditing the performance of  
19          private providers until the local building code  
20          enforcement agency creates a manual for standard  
21          operating audit procedures; providing requirements for  
22          such manual; requiring the manual to be publicly  
23          available online or printed; requiring certain audit  
24          results to be readily accessible; revising how often a  
25          private provider may be audited; requiring certain

26 written communication be provided to the private  
27 provider or private provider firm under certain  
28 circumstances; conforming cross-references; conforming  
29 provisions to changes made by the act; amending s.  
30 553.792, F.S.; revising the timeframes for approving,  
31 approving with conditions, or denying certain building  
32 permits; prohibiting a local government from requiring  
33 a waiver of certain timeframes; requiring local  
34 governments to follow the prescribed timeframes unless  
35 a local ordinance is more stringent; requiring a local  
36 government to provide written notice to an applicant  
37 under certain circumstances; revising how many times a  
38 local government may request additional information  
39 from an applicant; specifying when a permit  
40 application is deemed complete and approved; requiring  
41 the opportunity for an in-person or virtual meeting  
42 before a second request for additional information may  
43 be made; requiring a local government to process an  
44 application within a specified timeframe without  
45 additional information upon written request by the  
46 applicant; reducing permit fees by a certain  
47 percentage if certain timeframes are not met;  
48 providing exceptions; providing construction;  
49 conforming provisions to changes made by the act;  
50 amending s. 553.80, F.S.; authorizing local

51 governments to use certain fees for certain technology  
 52 upgrades; creating s. 553.9065, F.S.; providing that  
 53 certain unvented attic and unvented enclosed rafter  
 54 assemblies meet the requirements of the Florida  
 55 Building Code, Energy Conservation; requiring the  
 56 commission to review and consider certain provisions  
 57 of law and technical amendments thereto and report its  
 58 findings to the Legislature by a specified date;  
 59 amending s. 440.103, F.S.; conforming a cross-  
 60 reference; providing effective dates.

61

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

63

64 Section 1. Paragraph (g) is added to subsection (7) of  
 65 section 553.73, Florida Statutes, to read:

66 553.73 Florida Building Code.—

67 (7)

68 (g) The commission shall modify section 505 of the Florida  
 69 Building Code, 8th edition (2023), Existing Building, to state  
 70 that sealed drawings by a design professional may not be  
 71 required for the replacement of windows, doors, or garage doors.  
 72 Replacement windows, doors, and garage doors must be  
 73 installed in accordance with the manufacturer's instructions for  
 74 the appropriate wind zone and must meet design pressure  
 75 requirements and the requirements in the most recent version of

76 the Florida Building Code. A copy of the manufacturer's  
77 instructions must be submitted with the permit application for  
78 replacement windows, doors, or garage doors. The manufacturer's  
79 installation instructions may be printed or in digital format.

80 Section 2. Subsection (16) of section 553.79, Florida  
81 Statutes, is amended to read:

82 553.79 Permits; applications; issuance; inspections.—

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

88 ~~(a) If a local enforcement agency fails to issue a~~  
89 ~~building permit for a single-family residential dwelling within~~  
90 ~~30 business days after receiving the permit application, it must~~  
91 ~~reduce the building permit fee by 10 percent for each business~~  
92 ~~day that it fails to meet the deadline. Each 10-percent~~  
93 ~~reduction shall be based on the original amount of the building~~  
94 ~~permit fee.~~

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

101 ~~or ordinances. The written notice must also state that the~~  
102 ~~applicant has 10 business days after receiving the written~~  
103 ~~notice to submit revisions to correct the permit application and~~  
104 ~~that failure to correct the application within 10 business days~~  
105 ~~will result in a denial of the application.~~

106 ~~(c) The applicant has 10 business days after receiving the~~  
107 ~~written notice to address the reasons specified by the local~~  
108 ~~enforcement agency and submit revisions to correct the permit~~  
109 ~~application. If the applicant submits revisions within 10~~  
110 ~~business days after receiving the written notice, the local~~  
111 ~~enforcement agency has 10 business days after receiving such~~  
112 ~~revisions to approve or deny the building permit unless the~~  
113 ~~applicant agrees to a longer period in writing. If the local~~  
114 ~~enforcement agency fails to issue or deny the building permit~~  
115 ~~within 10 business days after receiving the revisions, it must~~  
116 ~~reduce the building permit fee by 20 percent for the first~~  
117 ~~business day that it fails to meet the deadline unless the~~  
118 ~~applicant agrees to a longer period in writing. For each~~  
119 ~~additional business day, but not to exceed 5 business days, that~~  
120 ~~the local enforcement agency fails to meet the deadline, the~~  
121 ~~building permit fee must be reduced by an additional 10 percent.~~  
122 ~~Each reduction shall be based on the original amount of the~~  
123 ~~building permit fee.~~

124 ~~(d) If any building permit fees are refunded under this~~  
125 ~~subsection, the surcharges provided in s. 468.631 or s. 553.721~~

126 ~~must be recalculated based on the amount of the building permit~~  
127 ~~fees after the refund.~~

128 ~~(c) A building permit for a single-family residential~~  
129 ~~dwelling applied for by a contractor licensed in this state on~~  
130 ~~behalf of a property owner who participates in a Community~~  
131 ~~Development Block Grant-Disaster Recovery program administered~~  
132 ~~by the Department of Economic Opportunity must be issued within~~  
133 ~~15 working days after receipt of the application unless the~~  
134 ~~permit application fails to satisfy the Florida Building Code or~~  
135 ~~the enforcing agency's laws or ordinances.~~

136 Section 3. Paragraphs (o) through (r) of subsection (1)  
137 and subsections (10) through (21) of section 553.791, Florida  
138 Statutes, are redesignated as paragraphs (p) through (s) and  
139 subsections (11) through (22), respectively, present paragraph  
140 (o) of subsection (1), paragraph (c) of subsection (4),  
141 paragraphs (b) and (d) of subsection (7), paragraph (b) of  
142 present subsection (13), paragraph (b) of present subsection  
143 (16), and present subsection (19) are amended, and a new  
144 paragraph (o) is added to subsection (1) and a new subsection  
145 (10) is added to that section, to read:

146 553.791 Alternative plans review and inspection.—

147 (1) As used in this section, the term:

148 (o) "Private provider firm" means a business organization,  
149 including a corporation, partnership, business trust, or other  
150 legal entity, which offers services under this chapter to the

151 public through licensees who are acting as agents, employees,  
152 officers, or partners of the firm. A person who is licensed as a  
153 building code administrator under part XII of chapter 468, an  
154 engineer under chapter 471, or an architect under chapter 481  
155 may act as a private provider for an agent, employee, or officer  
156 of the private provider firm.

157 (p)~~(e)~~ "Request for certificate of occupancy or  
158 certificate of completion" means a properly completed and  
159 executed application for:

160 1. A certificate of occupancy or certificate of  
161 completion.

162 2. A certificate of compliance from the private provider  
163 required under subsection (13) ~~(12)~~.

164 3. Any applicable fees.

165 4. Any documents required by the local building official  
166 to determine that the fee owner has secured all other government  
167 approvals required by law.

168 (4) A fee owner or the fee owner's contractor using a  
169 private provider to provide building code inspection services  
170 shall notify the local building official in writing at the time  
171 of permit application, or by 2 p.m. local time, 2 business days  
172 before the first scheduled inspection by the local building  
173 official or building code enforcement agency that a private  
174 provider has been contracted to perform the required inspections  
175 of construction under this section, including single-trade

176 inspections, on a form to be adopted by the commission. This  
177 notice shall include the following information:

178 (c) An acknowledgment from the fee owner or the fee  
179 owner's contractor in substantially the following form:

180  
181 I have elected to use one or more private providers to  
182 provide building code plans review and/or inspection  
183 services on the building or structure that is the  
184 subject of the enclosed permit application, as  
185 authorized by s. 553.791, Florida Statutes. I  
186 understand that the local building official may not  
187 review the plans submitted or perform the required  
188 building inspections to determine compliance with the  
189 applicable codes, except to the extent specified in  
190 said law. Instead, plans review and/or required  
191 building inspections will be performed by licensed or  
192 certified personnel identified in the application. The  
193 law requires minimum insurance requirements for such  
194 personnel, but I understand that I may require more  
195 insurance to protect my interests. By executing this  
196 form, I acknowledge that I have made inquiry regarding  
197 the competence of the licensed or certified personnel  
198 and the level of their insurance and am satisfied that  
199 my interests are adequately protected. I agree to  
200 indemnify, defend, and hold harmless the local



201 government, the local building official, and their  
202 building code enforcement personnel from any and all  
203 claims arising from my use of these licensed or  
204 certified personnel to perform building code  
205 inspection services with respect to the building or  
206 structure that is the subject of the enclosed permit  
207 application.

208

209 If the fee owner or the fee owner's contractor makes any changes  
210 to the listed private providers or the services to be provided  
211 by those private providers, the fee owner or the fee owner's  
212 contractor shall, within 1 business day after any change or  
213 within 2 business days before the next scheduled inspection,  
214 update the notice to reflect such changes. A change of a duly  
215 authorized representative named in the permit application does  
216 not require a revision of the permit, and the building code  
217 enforcement agency shall not charge a fee for making the change.

218 (7)

219 (b) If the local building official provides a written  
220 notice of plan deficiencies to the permit applicant within the  
221 prescribed 20-day period, the 20-day period shall be tolled  
222 pending resolution of the matter. To resolve the plan  
223 deficiencies, the permit applicant may elect to dispute the  
224 deficiencies pursuant to subsection (15) ~~(14)~~ or to submit  
225 revisions to correct the deficiencies.

226 (d) If the local building official provides a second  
227 written notice of plan deficiencies to the permit applicant  
228 within the prescribed time period, the permit applicant may  
229 elect to dispute the deficiencies pursuant to subsection (15)  
230 ~~(14)~~ or to submit additional revisions to correct the  
231 deficiencies. For all revisions submitted after the first  
232 revision, the local building official has an additional 5  
233 business days from the date of resubmittal to issue the  
234 requested permit or to provide a written notice to the permit  
235 applicant stating which of the previously identified plan  
236 features remain in noncompliance with the applicable codes, with  
237 specific reference to the relevant code chapters and sections.

238 (10) If the private provider is a person licensed as an  
239 engineer under chapter 471 or an architect under chapter 481 and  
240 affixes his or her professional seal to the affidavit required  
241 under subsection (6), the local building official must issue the  
242 requested permit or provide a written notice to the permit  
243 applicant identifying the specific plan features that do not  
244 comply with the applicable codes, as well as the specific code  
245 chapters and sections, within 10 business days after receipt of  
246 the permit application and affidavit. In such written notice,  
247 the local building official must provide with specificity the  
248 plan's deficiencies, the reasons the permit application failed,  
249 and the applicable codes being violated. If the local building  
250 official does not provide specific written notice to the permit

251 applicant within the prescribed 10-day period, the permit  
 252 application is deemed approved as a matter of law, and the local  
 253 building official must issue the permit on the next business  
 254 day.

255 ~~(14)-(13)~~

256 (b) If the local building official does not provide notice  
 257 of the deficiencies within the applicable time periods under  
 258 paragraph (a), the request for a certificate of occupancy or  
 259 certificate of completion is automatically granted and deemed  
 260 issued as of the next business day. The local building official  
 261 must provide the applicant with the written certificate of  
 262 occupancy or certificate of completion within 10 days after it  
 263 is automatically granted and issued. To resolve any identified  
 264 deficiencies, the applicant may elect to dispute the  
 265 deficiencies pursuant to subsection (15) ~~(14)~~ or to submit a  
 266 corrected request for a certificate of occupancy or certificate  
 267 of completion.

268 ~~(17)-(16)~~

269 (b) A local enforcement agency, local building official,  
 270 or local government may establish, for private providers, l  
 271 private provider firms, and duly authorized representatives  
 272 working within that jurisdiction, a system of registration to  
 273 verify compliance with the licensure requirements of paragraph  
 274 (1) (n) and the insurance requirements of subsection (18) ~~(17)~~.

275 ~~(20)-(19)~~ A ~~Each~~ local building code enforcement agency may

276 not audit the performance of building code inspection services  
277 by private providers operating within the local jurisdiction  
278 until the local building code enforcement agency has created a  
279 manual for standard operating audit procedures for the local  
280 building code enforcement agency's internal inspection and  
281 review staff, which includes, at a minimum, the purpose and  
282 scope of the audit, the audit criteria, an explanation of audit  
283 processes and objections, and detailed findings of areas of  
284 noncompliance. The manual must be publicly available online or  
285 the printed manual must be readily accessible in building  
286 department offices. The staff's audit results from the previous  
287 two quarters must be publicly available. The local building code  
288 enforcement agency's private provider audit processes must  
289 adhere to the local building code enforcement agency's posted  
290 standard operating audit procedures. ~~However,~~ The same private  
291 provider or private provider firm may not be audited more than  
292 four times in a year ~~month~~ unless the local building official  
293 determines a condition of a building constitutes an immediate  
294 threat to public safety and welfare, which must be communicated  
295 in writing to the private provider or private provider firm.  
296 Work on a building or structure may proceed after inspection and  
297 approval by a private provider. ~~if the provider has given notice~~  
298 ~~of the inspection pursuant to subsection (9) and, subsequent to~~  
299 ~~such inspection and approval,~~ The work may ~~shall~~ not be delayed  
300 for completion of an inspection audit by the local building code

301 enforcement agency.

302 Section 4. Subsections (1) and (2) of section 553.792,  
303 Florida Statutes, are amended to read:

304 553.792 Building permit application to local government.—

305 (1)(a) A local government must approve, approve with  
306 conditions, or deny a building permit application after receipt  
307 of a completed and sufficient application within the following  
308 timeframes, unless the applicant waives such timeframes in  
309 writing:

310 1. Within 30 business days after receiving a complete and  
311 sufficient application, for an applicant using a local  
312 government plans reviewer to obtain the following building  
313 permits if the structure is less than 7,500 square feet:  
314 residential units, including a single-family residential unit or  
315 a single-family residential dwelling, accessory structure,  
316 alarm, electrical, irrigation, landscaping, mechanical,  
317 plumbing, or roofing.

318 2. Within 60 business days after receiving a complete and  
319 sufficient application, for an applicant using a local  
320 government plans reviewer to obtain the following building  
321 permits if the structure is 7,500 square feet or more:  
322 residential units, including a single-family residential unit or  
323 a single-family residential dwelling, accessory structure,  
324 alarm, electrical, irrigation, landscaping, mechanical,  
325 plumbing, or roofing.

326 3. Within 60 business days after receiving a complete and  
327 sufficient application, for an applicant using a local  
328 government plans reviewer to obtain the following building  
329 permits: signs or nonresidential buildings that are less than  
330 25,000 square feet.

331 4. Within 60 business days after receiving a complete and  
332 sufficient application, for an applicant using a local  
333 government plans reviewer to obtain the following building  
334 permits: multifamily residential, not exceeding 50 units.

335 5. Within 10 business days after receiving a complete and  
336 sufficient application, for an applicant using a master building  
337 permit consistent with s. 553.794 to obtain a site-specific  
338 building permit.

339 6. Within 10 business days after receiving a complete and  
340 sufficient application, for an applicant for a single-family  
341 residential dwelling applied for by a contractor licensed in  
342 this state on behalf of a property owner who participates in a  
343 Community Development Block Grant-Disaster Recovery program  
344 administered by the Department of Commerce, unless the permit  
345 application fails to satisfy the Florida Building Code or the  
346 enforcing agency's laws or ordinances.

347  
348 However, the local government may not require the waiver of the  
349 timeframes in this section as a condition precedent to reviewing  
350 an applicant's building permit application.

351 (b) A local government must meet the timeframes set forth  
 352 in this section for reviewing building permit applications  
 353 unless the timeframes set by local ordinance are more stringent  
 354 than those prescribed in this section.

355 (c) After ~~Within 10 days of~~ an applicant submits  
 356 ~~submitting~~ an application to the local government, the local  
 357 government must provide written notice to the applicant within 5  
 358 business days after receipt of the application advising ~~shall~~  
 359 ~~advise~~ the applicant what information, if any, is needed to deem  
 360 or determine that the application is properly completed in  
 361 compliance with the filing requirements published by the local  
 362 government. If the local government does not provide timely  
 363 written notice that the applicant has not submitted a ~~the~~  
 364 properly completed application, the application is ~~shall be~~  
 365 automatically deemed or determined to be properly completed and  
 366 accepted.

367 (d)1. Within 10 business ~~45~~ days after providing written  
 368 notice to the applicant that his or her application is properly  
 369 completed or upon receipt of any information needed to deem the  
 370 application complete ~~receiving a completed application~~, a local  
 371 government must provide written notice to ~~notify~~ an applicant if  
 372 additional information is required for the local government to  
 373 determine the sufficiency of the application, and the notice  
 374 must ~~shall~~ specify the additional information that is required.  
 375 The applicant may ~~must~~ submit the additional information to the

376 local government or request that the local government act  
377 without the additional information. When reviewing an  
378 application for a building permit, a local government may not  
379 request additional information from the applicant more than two  
380 times unless the applicant waives such limitation in writing.  
381 The local government's second request for information must be  
382 made within 10 business days after the local government receives  
383 the additional information indicated in the first request. The  
384 local government must determine the sufficiency of the  
385 application within 10 business days after receiving the  
386 additional information from a second request. If the local  
387 government does not provide to the applicant timely written  
388 notice that the applicant must submit additional information to  
389 determine whether the application is sufficient, the application  
390 is automatically deemed or determined to be sufficient.

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

395 3. If an applicant believes a request for additional  
396 information is not authorized by ordinance, rule, statute, or  
397 other legal authority, the local government, at the applicant's  
398 written request, must process the application within 10 business  
399 days after receipt of such request and approve the application,  
400 approve the application with conditions, or deny the application



401 and provide the applicant with sufficient reason for such  
402 denial. ~~While the applicant responds to the request for~~  
403 ~~additional information, the 120-day period described in this~~  
404 ~~subsection is tolled. Both parties may agree to a reasonable~~  
405 ~~request for an extension of time, particularly in the event of a~~  
406 ~~force majeure or other extraordinary circumstance. The local~~  
407 ~~government must approve, approve with conditions, or deny the~~  
408 ~~application within 120 days following receipt of a completed~~  
409 ~~application.~~

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

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

418 ~~2. If a local government requests additional information~~  
419 ~~from an applicant and the applicant submits the requested~~  
420 ~~additional information to the local government within 30 days~~  
421 ~~after receiving the request, the local government must, within~~  
422 ~~15 days after receiving such information:~~

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

424 ~~b. Approve the application;~~

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

426 ~~d. Deny the application; or~~  
 427 ~~e. Advise the applicant of information, if any, that is~~  
 428 ~~needed to deem the application properly completed or to~~  
 429 ~~determine the sufficiency of the application.~~

430 ~~3. If a local government makes a second request for~~  
 431 ~~additional information from the applicant and the applicant~~  
 432 ~~submits the requested additional information to the local~~  
 433 ~~government within 30 days after receiving the request, the local~~  
 434 ~~government must, within 10 days after receiving such~~  
 435 ~~information:~~

436 ~~a. Determine if the application is properly completed;~~  
 437 ~~b. Approve the application;~~  
 438 ~~c. Approve the application with conditions;~~  
 439 ~~d. Deny the application; or~~  
 440 ~~e. Advise the applicant of information, if any, that is~~  
 441 ~~needed to deem the application properly completed or to~~  
 442 ~~determine the sufficiency of the application.~~

443 ~~4. Before a third request for additional information may~~  
 444 ~~be made, the applicant must be offered an opportunity to meet~~  
 445 ~~with the local government to attempt to resolve outstanding~~  
 446 ~~issues. If a local government makes a third request for~~  
 447 ~~additional information from the applicant and the applicant~~  
 448 ~~submits the requested additional information to the local~~  
 449 ~~government within 30 days after receiving the request, the local~~  
 450 ~~government must, within 10 days after receiving such information~~

451 ~~unless the applicant waived the local government's limitation in~~  
 452 ~~writing, determine that the application is complete and:~~

453 ~~a. Approve the application;~~

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

455 ~~c. Deny the application.~~

456 ~~5. If the applicant believes the request for additional~~  
 457 ~~information is not authorized by ordinance, rule, statute, or~~  
 458 ~~other legal authority, the local government, at the applicant's~~  
 459 ~~request, must process the application and either approve the~~  
 460 ~~application, approve the application with conditions, or deny~~  
 461 ~~the application.~~

462 ~~(f)(e)~~ If a local government fails to meet a deadline  
 463 ~~under this subsection provided in paragraphs (a) and (b), it~~  
 464 ~~must reduce the building permit fee by 10 percent for each~~  
 465 ~~business day that it fails to meet the deadline, unless the~~  
 466 ~~parties agree in writing to a reasonable extension of time, the~~  
 467 ~~delay is caused by the applicant, or the delay is attributable~~  
 468 ~~to a force majeure or other extraordinary circumstances. Each~~  
 469 ~~10-percent reduction shall be based on the original amount of~~  
 470 ~~the building permit fee, unless the parties agree to an~~  
 471 ~~extension of time.~~

472 ~~(2)(a) The procedures set forth in subsection (1) apply to~~  
 473 ~~the following building permit applications: accessory structure;~~  
 474 ~~alarm permit; nonresidential buildings less than 25,000 square~~  
 475 ~~feet; electric; irrigation permit; landscaping; mechanical;~~

476 ~~plumbing; residential units other than a single family unit;~~  
477 ~~multifamily residential not exceeding 50 units; roofing; signs;~~  
478 ~~site-plan approvals and subdivision plats not requiring public~~  
479 ~~hearings or public notice; and lot grading and site alteration~~  
480 ~~associated with the permit application set forth in this~~  
481 ~~subsection. The procedures set forth in subsection (1) do not~~  
482 ~~apply to permits for any wireless communications facilities or~~  
483 ~~when a law, agency rule, or local ordinance specify different~~  
484 ~~timeframes for review of local building permit applications.~~

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

497 Section 5. Paragraph (a) of subsection (7) of section  
498 553.80, Florida Statutes, is amended to read:

499 553.80 Enforcement.—

500 (7) (a) The governing bodies of local governments may

501 provide a schedule of reasonable fees, as authorized by s.  
502 125.56(2) or s. 166.222 and this section, for enforcing this  
503 part. These fees, and any fines or investment earnings related  
504 to the fees, may only ~~shall~~ be used ~~solely~~ for carrying out the  
505 local government's responsibilities in enforcing the Florida  
506 Building Code. When providing a schedule of reasonable fees, the  
507 total estimated annual revenue derived from fees, and the fines  
508 and investment earnings related to the fees, may not exceed the  
509 total estimated annual costs of allowable activities. Any  
510 unexpended balances must be carried forward to future years for  
511 allowable activities or must be refunded at the discretion of  
512 the local government. A local government may not carry forward  
513 an amount exceeding the average of its operating budget for  
514 enforcing the Florida Building Code for the previous 4 fiscal  
515 years. For purposes of this subsection, the term "operating  
516 budget" does not include reserve amounts. Any amount exceeding  
517 this limit must be used as authorized in subparagraph 2.  
518 However, a local government that established, as of January 1,  
519 2019, a Building Inspections Fund Advisory Board consisting of  
520 five members from the construction stakeholder community and  
521 carries an unexpended balance in excess of the average of its  
522 operating budget for the previous 4 fiscal years may continue to  
523 carry such excess funds forward upon the recommendation of the  
524 advisory board. The basis for a fee structure for allowable  
525 activities must relate to the level of service provided by the

526 | local government and must include consideration for refunding  
527 | fees due to reduced services based on services provided as  
528 | prescribed by s. 553.791, but not provided by the local  
529 | government. Fees charged must be consistently applied.

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

539 |       2. A local government must use any excess funds that it is  
540 | prohibited from carrying forward to rebate and reduce fees, to  
541 | upgrade technology hardware and software systems to enhance  
542 | service delivery, ~~or~~ to pay for the construction of a building  
543 | or structure that houses a local government's building code  
544 | enforcement agency, or for ~~the~~ training programs for building  
545 | officials, inspectors, or plans examiners associated with the  
546 | enforcement of the Florida Building Code. Excess funds used to  
547 | construct such a building or structure must be designated for  
548 | such purpose by the local government and may not be carried  
549 | forward for more than 4 consecutive years. An owner or builder  
550 | who has a valid building permit issued by a local government for

551 a fee, or an association of owners or builders located in the  
552 state that has members with valid building permits issued by a  
553 local government for a fee, may bring a civil action against the  
554 local government that issued the permit for a fee to enforce  
555 this subparagraph.

556 3. The following activities may not be funded with fees  
557 adopted for enforcing the Florida Building Code:

558 a. Planning and zoning or other general government  
559 activities.

560 b. Inspections of public buildings for a reduced fee or no  
561 fee.

562 c. Public information requests, community functions,  
563 boards, and any program not directly related to enforcement of  
564 the Florida Building Code.

565 d. Enforcement and implementation of any other local  
566 ordinance, excluding validly adopted local amendments to the  
567 Florida Building Code and excluding any local ordinance directly  
568 related to enforcing the Florida Building Code as defined in  
569 subparagraph 1.

570 4. A local government must use recognized management,  
571 accounting, and oversight practices to ensure that fees, fines,  
572 and investment earnings generated under this subsection are  
573 maintained and allocated or used solely for the purposes  
574 described in subparagraph 1.

575 5. The local enforcement agency, independent district, or

576 special district may not require at any time, including at the  
577 time of application for a permit, the payment of any additional  
578 fees, charges, or expenses associated with:

579 a. Providing proof of licensure under chapter 489;

580 b. Recording or filing a license issued under this  
581 chapter;

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

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

586 Section 6. Effective July 1, 2025, section 553.9065,  
587 Florida Statutes, is created to read:

588 553.9065 Thermal efficiency standards for unvented attic  
589 and unvented enclosed rafter assemblies.—

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

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

597 (b) The building has a positive input ventilation system  
598 or a balanced or hybrid whole-house mechanical ventilation  
599 system.

600 (c) If the insulation is installed below the roof deck and



601 the exposed portion of roof rafters is not already covered by  
602 the R-20 air-impermeable insulation, the exposed portion of the  
603 roof rafters is insulated by a minimum of R-3 air-impermeable  
604 insulation unless directly covered by a finished ceiling. Roof  
605 rafters are not required to be covered by a minimum of R-3 air-  
606 impermeable insulation if continuous insulation is installed  
607 above the roof deck.

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

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

613 Section 7. Section 440.103, Florida Statutes, is amended  
614 to read:

615 440.103 Building permits; identification of minimum  
616 premium policy.—Every employer shall, as a condition to applying  
617 for and receiving a building permit, show proof and certify to  
618 the permit issuer that it has secured compensation for its  
619 employees under this chapter as provided in ss. 440.10 and  
620 440.38. Such proof of compensation must be evidenced by a  
621 certificate of coverage issued by the carrier, a valid exemption  
622 certificate approved by the department, or a copy of the  
623 employer's authority to self-insure and shall be presented,  
624 electronically or physically, each time the employer applies for  
625 a building permit. As provided in s. 553.79(23) ~~s. 553.79(24)~~,

626 | for the purpose of inspection and record retention, site plans  
627 | or building permits may be maintained at the worksite in the  
628 | original form or in the form of an electronic copy. These plans  
629 | and permits must be open to inspection by the building official  
630 | or a duly authorized representative, as required by the Florida  
631 | Building Code. As provided in s. 627.413(5), each certificate of  
632 | coverage must show, on its face, whether or not coverage is  
633 | secured under the minimum premium provisions of rules adopted by  
634 | rating organizations licensed pursuant to s. 627.221. The words  
635 | "minimum premium policy" or equivalent language shall be typed,  
636 | printed, stamped, or legibly handwritten.

637 |       Section 8. Except as otherwise expressly provided in this  
638 | act and except for this section, which shall take effect upon  
639 | this act becoming a law, this act shall take effect January 1,  
640 | 2025.