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1
 2 An act relating to building regulations; amending s.
 3 468.609, F.S.; revising the eligibility requirements a
 4 person must meet to take an examination for
 5 certification as a building code inspector or plans
 6 examiner; amending s. 553.73, F.S.; requiring the
 7 Florida Building Commission to modify provisions in
 8 the Florida Building Code relating to sealed drawings
 9 by a design professional for replacement windows,
 10 doors, or garage doors on certain dwellings or
 11 townhouses; providing requirements for such
 12 modifications; amending s. 553.79, F.S.; removing
 13 provisions relating to acquiring building permits for
 14 certain residential dwellings; amending s. 553.791,
 15 F.S.; defining the term "private provider firm";
 16 amending provisions requiring private providers to
 17 provide specified notice to the local building
 18 official; revising the timeframes in which local
 19 building officials must issue permits or provide
 20 certain written notice if certain private providers
 21 affix their professional seal to an affidavit;
 22 providing requirements for such written notices;
 23 deeming a permit application approved under certain
 24 circumstances; prohibiting a local building code
 25 enforcement agency from auditing the performance of

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26 private providers until the local building code
 27 enforcement agency creates standard operating private
 28 provider audit procedures; providing requirements for
 29 such audit procedures; requiring the audit procedures
 30 to be publicly available online and printed; requiring
 31 printed audit procedures to be available in the
 32 agency's buildings; requiring that private provider
 33 audit results of staff for a specified timeframe be
 34 made publicly available; requiring the agency's audit
 35 processes to adhere to the agency's standard operating
 36 audit procedures; revising how often a private
 37 provider or private provider firm may be audited;
 38 requiring certain written communication be provided to
 39 the private provider or private provider firm under
 40 certain circumstances; conforming cross-references;
 41 conforming provisions to changes made by the act;
 42 amending s. 553.792, F.S.; revising the timeframes for
 43 approving, approving with conditions, or denying
 44 certain building permits; prohibiting a local
 45 government from requiring a waiver of certain
 46 timeframes; requiring local governments to meet the
 47 prescribed timeframes unless a local ordinance is more
 48 stringent; requiring a local government to provide
 49 written notice to an applicant under certain
 50 circumstances; requiring a local government to reduce

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51 permit fees by a certain percentage if certain
 52 deadlines are not met; providing exceptions;
 53 specifying requirements for the written notice to the
 54 permit applicant; specifying a timeframe for the
 55 applicant to correct the application; specifying a
 56 timeframe for the local government and local
 57 enforcement agency to approve or deny certain building
 58 permits following revision; requiring a reduction in
 59 the building permit fee if the approval deadline is
 60 not met; providing an exception; amending s. 553.80,
 61 F.S.; authorizing local governments to use certain
 62 fees for certain technology upgrades; creating s.
 63 553.9065, F.S.; providing that certain unvented attic
 64 and unvented enclosed rafter assemblies meet the
 65 requirements of the Florida Building Code, Energy
 66 Conservation; requiring the commission to review and
 67 consider certain provisions of law and technical
 68 amendments thereto and report its findings to the
 69 Legislature by a specified date; amending s. 440.103,
 70 F.S.; conforming a cross-reference; providing
 71 effective dates.

72

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

74

75 Section 1. Paragraph (c) of subsection (2) of section

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76 | 468.609, Florida Statutes, is amended to read:

77 | 468.609 Administration of this part; standards for
78 | certification; additional categories of certification.—

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

82 | (c) Meets eligibility requirements according to one of the
83 | following criteria:

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

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

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

97 | 4. Currently holds a standard certificate issued by the
98 | board or a firesafety inspector license issued under chapter
99 | 633, with a minimum of 3 years' verifiable full-time experience
100 | in firesafety inspection or firesafety plan review, and has

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101 satisfactorily completed a building code inspector or plans
102 examiner training program that provides at least 100 hours but
103 not more than 200 hours of cross-training in the certification
104 category sought. The board shall establish by rule criteria for
105 the development and implementation of the training programs. The
106 board must accept all classroom training offered by an approved
107 provider if the content substantially meets the intent of the
108 classroom component of the training program;

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

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126 the training program. However, the board must accept all
127 classroom training offered by an approved provider if the
128 content substantially meets the intent of the classroom
129 component of the training program;

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

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

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

147 7.a. Has completed a 4-year internship certification
148 program as a building code inspector or plans examiner, including an internship program for residential inspectors,
149 while also employed full-time by a municipality, county, or
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151 other governmental jurisdiction, under the direct supervision of
152 a certified building official. A person may also complete the
153 internship certification program, including an internship
154 program for residential inspectors, while employed full time by
155 a private provider or a private provider's firm that performs
156 the services of a building code inspector or plans examiner,
157 while under the direct supervision of a certified building
158 official. Proof of graduation with a related vocational degree
159 or college degree or of verifiable work experience may be
160 exchanged for the internship experience requirement year-for-
161 year, but may reduce the requirement to no less than 1 year.

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

166 c. Has passed the principles and practice examination
167 before completing the internship certification program.

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

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

174 Section 2. Paragraph (g) is added to subsection (7) of
175 section 553.73, Florida Statutes, to read:

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176 553.73 Florida Building Code.—

177 (7)

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

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

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

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

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

194 Section 3. Subsection (16) of section 553.79, Florida
 195 Statutes, is amended to read:

196 553.79 Permits; applications; issuance; inspections.—

197 ~~(16) Except as provided in paragraph (e), a building~~
 198 ~~permit for a single-family residential dwelling must be issued~~
 199 ~~within 30 business days after receiving the permit application~~
 200 ~~unless the permit application fails to satisfy the Florida~~

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201 ~~Building Code or the enforcing agency's laws or ordinances.~~

202 ~~(a) If a local enforcement agency fails to issue a~~
203 ~~building permit for a single-family residential dwelling within~~
204 ~~30 business days after receiving the permit application, it must~~
205 ~~reduce the building permit fee by 10 percent for each business~~
206 ~~day that it fails to meet the deadline. Each 10-percent~~
207 ~~reduction shall be based on the original amount of the building~~
208 ~~permit fee.~~

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

220 ~~(c) The applicant has 10 business days after receiving the~~
221 ~~written notice to address the reasons specified by the local~~
222 ~~enforcement agency and submit revisions to correct the permit~~
223 ~~application. If the applicant submits revisions within 10~~
224 ~~business days after receiving the written notice, the local~~
225 ~~enforcement agency has 10 business days after receiving such~~

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226 ~~revisions to approve or deny the building permit unless the~~
227 ~~applicant agrees to a longer period in writing. If the local~~
228 ~~enforcement agency fails to issue or deny the building permit~~
229 ~~within 10 business days after receiving the revisions, it must~~
230 ~~reduce the building permit fee by 20 percent for the first~~
231 ~~business day that it fails to meet the deadline unless the~~
232 ~~applicant agrees to a longer period in writing. For each~~
233 ~~additional business day, but not to exceed 5 business days, that~~
234 ~~the local enforcement agency fails to meet the deadline, the~~
235 ~~building permit fee must be reduced by an additional 10 percent.~~
236 ~~Each reduction shall be based on the original amount of the~~
237 ~~building permit fee.~~

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

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 ~~15 working 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 Section 4. Present paragraphs (o) through (r) of

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251 subsection (1) and subsections (10) through (21) of section
 252 553.791, Florida Statutes, are redesignated as paragraphs (p)
 253 through (s) and subsections (11) through (22), respectively, a
 254 new paragraph (o) is added to subsection (1) and a new
 255 subsection (10) is added to that section, and present paragraph
 256 (o) of subsection (1), paragraph (c) of subsection (4),
 257 paragraphs (b) and (d) of subsection (7), subsection (9),
 258 paragraph (b) of present subsection (13), paragraph (b) of
 259 present subsection (16), and present subsection (19) are
 260 amended, to read:

261 553.791 Alternative plans review and inspection.—

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

263 (o) "Private provider firm" means a business organization,
 264 including a corporation, partnership, business trust, or other
 265 legal entity, which offers services under this chapter to the
 266 public through licensees who are acting as agents, employees,
 267 officers, or partners of the firm. A person who is licensed as a
 268 building code administrator under part XII of chapter 468, an
 269 engineer under chapter 471, or an architect under chapter 481
 270 may act as a private provider for an agent, employee, or officer
 271 of the private provider firm.

272 ~~(p)-(o)~~ "Request for certificate of occupancy or
 273 certificate of completion" means a properly completed and
 274 executed application for:

275 1. A certificate of occupancy or certificate of

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276 completion.

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

279 3. Any applicable fees.

280 4. Any documents required by the local building official
281 to determine that the fee owner has secured all other government
282 approvals required by law.

283 (4) A fee owner or the fee owner's contractor using a
284 private provider to provide building code inspection services
285 shall notify the local building official in writing at the time
286 of permit application, or by 2 p.m. local time, 2 business days
287 before the first scheduled inspection by the local building
288 official or building code enforcement agency that a private
289 provider has been contracted to perform the required inspections
290 of construction under this section, including single-trade
291 inspections, on a form to be adopted by the commission. This
292 notice shall include the following information:

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

295
296 I have elected to use one or more private providers to
297 provide building code plans review and/or inspection
298 services on the building or structure that is the
299 subject of the enclosed permit application, as
300 authorized by s. 553.791, Florida Statutes. I

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301 understand that the local building official may not
 302 review the plans submitted or perform the required
 303 building inspections to determine compliance with the
 304 applicable codes, except to the extent specified in
 305 said law. Instead, plans review and/or required
 306 building inspections will be performed by licensed or
 307 certified personnel identified in the application. The
 308 law requires minimum insurance requirements for such
 309 personnel, but I understand that I may require more
 310 insurance to protect my interests. By executing this
 311 form, I acknowledge that I have made inquiry regarding
 312 the competence of the licensed or certified personnel
 313 and the level of their insurance and am satisfied that
 314 my interests are adequately protected. I agree to
 315 indemnify, defend, and hold harmless the local
 316 government, the local building official, and their
 317 building code enforcement personnel from any and all
 318 claims arising from my use of these licensed or
 319 certified personnel to perform building code
 320 inspection services with respect to the building or
 321 structure that is the subject of the enclosed permit
 322 application.

323
 324 If the fee owner or the fee owner's contractor makes any changes
 325 to the listed private providers or the services to be provided

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326 | by those private providers, the fee owner or the fee owner's
327 | contractor shall, within 1 business day after any change or
328 | within 2 business days before the next scheduled inspection,
329 | update the notice to reflect such changes. A change of a duly
330 | authorized representative named in the permit application does
331 | not require a revision of the permit, and the building code
332 | enforcement agency shall not charge a fee for making the change.

333 | (7)

334 | (b) If the local building official provides a written
335 | notice of plan deficiencies to the permit applicant within the
336 | prescribed 20-day period, the 20-day period shall be tolled
337 | pending resolution of the matter. To resolve the plan
338 | deficiencies, the permit applicant may elect to dispute the
339 | deficiencies pursuant to subsection (15) ~~(14)~~ or to submit
340 | revisions to correct the deficiencies.

341 | (d) If the local building official provides a second
342 | written notice of plan deficiencies to the permit applicant
343 | within the prescribed time period, the permit applicant may
344 | elect to dispute the deficiencies pursuant to subsection (15)
345 | ~~(14)~~ or to submit additional revisions to correct the
346 | deficiencies. For all revisions submitted after the first
347 | revision, the local building official has an additional 5
348 | business days from the date of resubmittal to issue the
349 | requested permit or to provide a written notice to the permit
350 | applicant stating which of the previously identified plan

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351 features remain in noncompliance with the applicable codes, with
352 specific reference to the relevant code chapters and sections.

353 (9) A private provider performing required inspections
354 under this section shall provide notice to the local building
355 official of the approximate date and ~~approximate~~ time of any
356 such inspection ~~no later than the prior business day by 2 p.m.~~
357 ~~local time or by any later time permitted by the local building~~
358 ~~official in that jurisdiction.~~ The local building official may
359 not prohibit the private provider from performing any inspection
360 outside the local building official's normal operating hours,
361 including after hours, weekends, or holidays. The local building
362 official may visit the building site as often as necessary to
363 verify that the private provider is performing all required
364 inspections. A deficiency notice must be posted by the private
365 provider, the duly authorized representative of the private
366 provider, or the building department whenever a noncomplying
367 item related to the building code or the permitted documents is
368 found. Such notice may be physically posted at the job site or
369 electronically posted. After corrections are made, the item must
370 be reinspected by the private provider or representative before
371 being concealed. Reinspection or reaudit fees shall not be
372 charged by the local jurisdiction as a result of the local
373 jurisdiction's audit inspection occurring before the performance
374 of the private provider's inspection or for any other
375 administrative matter not involving the detection of a violation

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376 of the building code or a permit requirement.

377 (10) If the private provider is a person licensed as an
378 engineer under chapter 471 or an architect under chapter 481 and
379 affixes his or her professional seal to the affidavit required
380 under subsection (6), the local building official must issue the
381 requested permit or provide a written notice to the permit
382 applicant identifying the specific plan features that do not
383 comply with the applicable codes, as well as the specific code
384 chapters and sections, within 10 business days after receipt of
385 the permit application and affidavit. In such written notice,
386 the local building official must provide with specificity the
387 plan's deficiencies, the reasons the permit application failed,
388 and the applicable codes being violated. If the local building
389 official does not provide specific written notice to the permit
390 applicant within the prescribed 10-day period, the permit
391 application is deemed approved as a matter of law, and the local
392 building official must issue the permit on the next business
393 day.

394 (14) ~~(13)~~

395 (b) If the local building official does not provide notice
396 of the deficiencies within the applicable time periods under
397 paragraph (a), the request for a certificate of occupancy or
398 certificate of completion is automatically granted and deemed
399 issued as of the next business day. The local building official
400 must provide the applicant with the written certificate of

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401 occupancy or certificate of completion within 10 days after it
402 is automatically granted and issued. To resolve any identified
403 deficiencies, the applicant may elect to dispute the
404 deficiencies pursuant to subsection (15) ~~(14)~~ or to submit a
405 corrected request for a certificate of occupancy or certificate
406 of completion.

407 (17) ~~(16)~~

408 (b) A local enforcement agency, local building official,
409 or local government may establish, for private providers,
410 private provider firms, and duly authorized representatives
411 working within that jurisdiction, a system of registration to
412 verify compliance with the licensure requirements of paragraph
413 (1)(n) and the insurance requirements of subsection (18) ~~(17)~~.

414 (20) ~~(19)~~ A ~~Each~~ local building code enforcement agency may
415 not audit the performance of building code inspection services
416 by private providers operating within the local jurisdiction
417 until the agency has created standard operating private provider
418 audit procedures for the agency's internal inspection and review
419 staff, which includes, at a minimum, the private provider audit
420 purpose and scope, private provider audit criteria, an
421 explanation of private provider audit processes and objections,
422 and detailed findings of areas of noncompliance. Such private
423 provider audit procedures must be publicly available online and
424 a printed version must be readily accessible in agency
425 buildings. The private provider audit results of staff for the

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426 prior two quarters also must be publicly available. The agency's
 427 audit processes must adhere to the agency's posted standard
 428 operating audit procedures. ~~However,~~ The same private provider
 429 or private provider firm may not be audited more than four times
 430 in a year ~~month~~ unless the local building official determines a
 431 condition of a building constitutes an immediate threat to
 432 public safety and welfare, which must be communicated in writing
 433 to the private provider or private provider firm. Work on a
 434 building or structure may proceed after inspection and approval
 435 by a private provider. ~~if the provider has given notice of the~~
 436 ~~inspection pursuant to subsection (9) and, subsequent to such~~
 437 ~~inspection and approval,~~ The work may ~~shall~~ not be delayed for
 438 completion of an inspection audit by the local building code
 439 enforcement agency.

440 Section 5. Subsections (1) and (2) of section 553.792,
 441 Florida Statutes, are amended to read:

442 553.792 Building permit application to local government.—

443 (1)(a) A local government must approve, approve with
 444 conditions, or deny a building permit application after receipt
 445 of a completed and sufficient application within the following
 446 timeframes, unless the applicant waives such timeframes in
 447 writing:

448 1. Within 30 business days after receiving a complete and
 449 sufficient application, for an applicant using a local
 450 government plans reviewer to obtain the following building

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451 permits if the structure is less than 7,500 square feet:
452 residential units, including a single-family residential unit or
453 a single-family residential dwelling, accessory structure,
454 alarm, electrical, irrigation, landscaping, mechanical,
455 plumbing, or roofing.

456 2. Within 60 business days after receiving a complete and
457 sufficient application, for an applicant using a local
458 government plans reviewer to obtain the following building
459 permits if the structure is 7,500 square feet or more:
460 residential units, including a single-family residential unit or
461 a single-family residential dwelling, accessory structure,
462 alarm, electrical, irrigation, landscaping, mechanical,
463 plumbing, or roofing.

464 3. Within 60 business days after receiving a complete and
465 sufficient application, for an applicant using a local
466 government plans reviewer to obtain the following building
467 permits: signs or nonresidential buildings that are less than
468 25,000 square feet.

469 4. Within 60 business days after receiving a complete and
470 sufficient application, for an applicant using a local
471 government plans reviewer to obtain the following building
472 permits: multifamily residential, not exceeding 50 units; site-
473 plan approvals and subdivision plats not requiring public
474 hearing or public notice; and lot grading and site alteration.

475 5. Within 12 business days after receiving a complete and

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476 sufficient application, for an applicant using a master building
 477 permit consistent with s. 553.794 to obtain a site-specific
 478 building permit.

479 6. Within 10 business days after receiving a complete and
 480 sufficient application, for an applicant for a single-family
 481 residential dwelling applied for by a contractor licensed in
 482 this state on behalf of a property owner who participates in a
 483 Community Development Block Grant-Disaster Recovery program
 484 administered by the Department of Commerce, unless the permit
 485 application fails to satisfy the Florida Building Code or the
 486 enforcing agency's laws or ordinances.

487
 488 However, the local government may not require the waiver of the
 489 timeframes in this section as a condition precedent to reviewing
 490 an applicant's building permit application.

491 (b) A local government must meet the timeframes set forth
 492 in this section for reviewing building permit applications
 493 unless the timeframes set by local ordinance are more stringent
 494 than those prescribed in this section.

495 (c) After ~~Within 10 days of~~ an applicant submits
 496 ~~submitting~~ an application to the local government, the local
 497 government must provide written notice to the applicant within 5
 498 business days after receipt of the application advising ~~shall~~
 499 advise the applicant what information, if any, is needed to deem
 500 or determine that the application is properly completed in

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501 compliance with the filing requirements published by the local
 502 government. If the local government does not provide timely
 503 written notice that the applicant has not submitted the properly
 504 completed application, the application is ~~shall be~~ automatically
 505 deemed or determined to be properly completed and accepted.
 506 ~~Within 45 days after receiving a completed application, a local~~
 507 ~~government must notify an applicant if additional information is~~
 508 ~~required for the local government to determine the sufficiency~~
 509 ~~of the application, and shall specify the additional information~~
 510 ~~that is required. The applicant must submit the additional~~
 511 ~~information to the local government or request that the local~~
 512 ~~government act without the additional information. While the~~
 513 ~~applicant responds to the request for additional information,~~
 514 ~~the 120-day period described in this subsection is tolled. Both~~
 515 ~~parties may agree to a reasonable request for an extension of~~
 516 ~~time, particularly in the event of a force majeure or other~~
 517 ~~extraordinary circumstance. The local government must approve,~~
 518 ~~approve with conditions, or deny the application within 120 days~~
 519 ~~following receipt of a completed application.~~

520 (d) A local government shall maintain on its website a
 521 policy containing procedures and expectations for expedited
 522 processing of those building permits and development orders
 523 required by law to be expedited.

524 ~~(b)1. When reviewing an application for a building permit,~~
 525 ~~a local government may not request additional information from~~

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526 ~~the applicant more than three times, unless the applicant waives~~
 527 ~~such limitation in writing.~~

528 ~~2. If a local government requests additional information~~
 529 ~~from an applicant and the applicant submits the requested~~
 530 ~~additional information to the local government within 30 days~~
 531 ~~after receiving the request, the local government must, within~~
 532 ~~15 days after receiving such information:~~

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

534 ~~b. Approve the application;~~

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

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

537 ~~e. Advise the applicant of information, if any, that is~~
 538 ~~needed to deem the application properly completed or to~~
 539 ~~determine the sufficiency of the application.~~

540 ~~3. If a local government makes a second request for~~
 541 ~~additional information from the applicant and the applicant~~
 542 ~~submits the requested additional information to the local~~
 543 ~~government within 30 days after receiving the request, the local~~
 544 ~~government must, within 10 days after receiving such~~
 545 ~~information:~~

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

547 ~~b. Approve the application;~~

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

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

550 ~~e. Advise the applicant of information, if any, that is~~

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551 ~~needed to deem the application properly completed or to~~
552 ~~determine the sufficiency of the application.~~

553 ~~4. Before a third request for additional information may~~
554 ~~be made, the applicant must be offered an opportunity to meet~~
555 ~~with the local government to attempt to resolve outstanding~~
556 ~~issues. If a local government makes a third request for~~
557 ~~additional information from the applicant and the applicant~~
558 ~~submits the requested additional information to the local~~
559 ~~government within 30 days after receiving the request, the local~~
560 ~~government must, within 10 days after receiving such information~~
561 ~~unless the applicant waived the local government's limitation in~~
562 ~~writing, determine that the application is complete and:~~

563 ~~a. Approve the application;~~
564 ~~b. Approve the application with conditions; or~~
565 ~~c. Deny the application.~~

566 ~~5. If the applicant believes the request for additional~~
567 ~~information is not authorized by ordinance, rule, statute, or~~
568 ~~other legal authority, the local government, at the applicant's~~
569 ~~request, must process the application and either approve the~~
570 ~~application, approve the application with conditions, or deny~~
571 ~~the application.~~

572 (e) ~~(e)~~ If a local government fails to meet a deadline
573 under this subsection ~~provided in paragraphs (a) and (b)~~, it
574 must reduce the building permit fee by 10 percent for each
575 business day that it fails to meet the deadline, unless the

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576 parties agree in writing to a reasonable extension of time, the
577 delay is caused by the applicant, or the delay is attributable
578 to a force majeure or other extraordinary circumstances. Each
579 10-percent reduction shall be based on the original amount of
580 the building permit fee, unless the parties agree to an
581 extension of time.

582 (f) A local enforcement agency does not have to reduce the
583 building permit fee if it provides written notice to the
584 applicant by e-mail or United States Postal Service within the
585 respective timeframes in paragraph (a) which specifically states
586 the reasons the permit application fails to satisfy the Florida
587 Building Code or the enforcing agency's laws or ordinances. The
588 written notice must also state that the applicant has 10
589 business days after receiving the written notice to submit
590 revisions to correct the permit application and that failure to
591 correct the application within 10 business days will result in a
592 denial of the application.

593 (g) If the applicant submits revisions within 10 business
594 days after receiving the written notice, the local enforcement
595 agency has 10 business days after receiving such revisions to
596 approve or deny the building permit unless the applicant agrees
597 to a longer period in writing. If the local enforcement agency
598 fails to issue or deny the building permit within 10 business
599 days after receiving the revisions, it must reduce the building
600 permit fee by 20 percent for each business day that it fails to

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601 meet the deadline unless the applicant agrees to a longer period
602 in writing.

603 ~~(2)(a) The procedures set forth in subsection (1) apply to~~
604 ~~the following building permit applications: accessory structure;~~
605 ~~alarm permit; nonresidential buildings less than 25,000 square~~
606 ~~feet; electric; irrigation permit; landscaping; mechanical;~~
607 ~~plumbing; residential units other than a single family unit;~~
608 ~~multifamily residential not exceeding 50 units; roofing; signs;~~
609 ~~site-plan approvals and subdivision plats not requiring public~~
610 ~~hearings or public notice; and lot grading and site alteration~~
611 ~~associated with the permit application set forth in this~~
612 ~~subsection. The procedures set forth in subsection (1) do not~~
613 ~~apply to permits for any wireless communications facilities or~~
614 ~~when a law, agency rule, or local ordinance specify different~~
615 ~~timeframes for review of local building permit applications.~~

616 ~~(b) If a local government has different timeframes than~~
617 ~~the timeframes set forth in subsection (1) for reviewing~~
618 ~~building permit applications described in paragraph (a), the~~
619 ~~local government must meet the deadlines established by local~~
620 ~~ordinance. If a local government does not meet an established~~
621 ~~deadline to approve, approve with conditions, or deny an~~
622 ~~application, it must reduce the building permit fee by 10~~
623 ~~percent for each business day that it fails to meet the~~
624 ~~deadline. Each 10-percent reduction shall be based on the~~
625 ~~original amount of the building permit fee, unless the parties~~

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626 ~~agree to an extension of time. This paragraph does not apply to~~
 627 ~~permits for any wireless communications facilities.~~

628 Section 6. Paragraph (a) of subsection (7) of section
 629 553.80, Florida Statutes, is amended to read:

630 553.80 Enforcement.—

631 (7)(a) The governing bodies of local governments may
 632 provide a schedule of reasonable fees, as authorized by s.
 633 125.56(2) or s. 166.222 and this section, for enforcing this
 634 part. These fees, and any fines or investment earnings related
 635 to the fees, may only ~~shall~~ be used ~~solely~~ for carrying out the
 636 local government's responsibilities in enforcing the Florida
 637 Building Code. When providing a schedule of reasonable fees, the
 638 total estimated annual revenue derived from fees, and the fines
 639 and investment earnings related to the fees, may not exceed the
 640 total estimated annual costs of allowable activities. Any
 641 unexpended balances must be carried forward to future years for
 642 allowable activities or must be refunded at the discretion of
 643 the local government. A local government may not carry forward
 644 an amount exceeding the average of its operating budget for
 645 enforcing the Florida Building Code for the previous 4 fiscal
 646 years. For purposes of this subsection, the term "operating
 647 budget" does not include reserve amounts. Any amount exceeding
 648 this limit must be used as authorized in subparagraph 2.
 649 However, a local government that established, as of January 1,
 650 2019, a Building Inspections Fund Advisory Board consisting of

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651 five members from the construction stakeholder community and
 652 carries an unexpended balance in excess of the average of its
 653 operating budget for the previous 4 fiscal years may continue to
 654 carry such excess funds forward upon the recommendation of the
 655 advisory board. The basis for a fee structure for allowable
 656 activities must relate to the level of service provided by the
 657 local government and must include consideration for refunding
 658 fees due to reduced services based on services provided as
 659 prescribed by s. 553.791, but not provided by the local
 660 government. Fees charged must be consistently applied.

661 1. As used in this subsection, the phrase "enforcing the
 662 Florida Building Code" includes the direct costs and reasonable
 663 indirect costs associated with review of building plans,
 664 building inspections, reinspections, and building permit
 665 processing; building code enforcement; and fire inspections
 666 associated with new construction. The phrase may also include
 667 training costs associated with the enforcement of the Florida
 668 Building Code and enforcement action pertaining to unlicensed
 669 contractor activity to the extent not funded by other user fees.

670 2. A local government must use any excess funds that it is
 671 prohibited from carrying forward to rebate and reduce fees, to
 672 upgrade technology hardware and software systems to enhance
 673 service delivery, ~~or~~ to pay for the construction of a building
 674 or structure that houses a local government's building code
 675 enforcement agency, or for ~~the~~ training programs for building

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676 officials, inspectors, or plans examiners associated with the
677 enforcement of the Florida Building Code. Excess funds used to
678 construct such a building or structure must be designated for
679 such purpose by the local government and may not be carried
680 forward for more than 4 consecutive years. An owner or builder
681 who has a valid building permit issued by a local government for
682 a fee, or an association of owners or builders located in the
683 state that has members with valid building permits issued by a
684 local government for a fee, may bring a civil action against the
685 local government that issued the permit for a fee to enforce
686 this subparagraph.

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

689 a. Planning and zoning or other general government
690 activities.

691 b. Inspections of public buildings for a reduced fee or no
692 fee.

693 c. Public information requests, community functions,
694 boards, and any program not directly related to enforcement of
695 the Florida Building Code.

696 d. Enforcement and implementation of any other local
697 ordinance, excluding validly adopted local amendments to the
698 Florida Building Code and excluding any local ordinance directly
699 related to enforcing the Florida Building Code as defined in
700 subparagraph 1.

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701 4. A local government must use recognized management,
 702 accounting, and oversight practices to ensure that fees, fines,
 703 and investment earnings generated under this subsection are
 704 maintained and allocated or used solely for the purposes
 705 described in subparagraph 1.

706 5. The local enforcement agency, independent district, or
 707 special district may not require at any time, including at the
 708 time of application for a permit, the payment of any additional
 709 fees, charges, or expenses associated with:

710 a. Providing proof of licensure under chapter 489;

711 b. Recording or filing a license issued under this
 712 chapter;

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

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

717 Section 7. Effective July 1, 2025, section 553.9065,
 718 Florida Statutes, is created to read:

719 553.9065 Thermal efficiency standards for unvented attic
 720 and unvented enclosed rafter assemblies.-

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

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

728 (b) The building has a positive input ventilation system
 729 or a balanced or hybrid whole-house mechanical ventilation
 730 system.

731 (c) If the insulation is installed below the roof deck and
 732 the exposed portion of roof rafters is not already covered by
 733 the R-20 air-impermeable insulation, the exposed portion of the
 734 roof rafters is insulated by a minimum of R-3 air-impermeable
 735 insulation unless directly covered by a finished ceiling. Roof
 736 rafters are not required to be covered by a minimum of R-3 air-
 737 impermeable insulation if continuous insulation is installed
 738 above the roof deck.

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

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

744 Section 8. Section 440.103, Florida Statutes, is amended
 745 to read:

746 440.103 Building permits; identification of minimum
 747 premium policy.—Every employer shall, as a condition to applying
 748 for and receiving a building permit, show proof and certify to
 749 the permit issuer that it has secured compensation for its
 750 employees under this chapter as provided in ss. 440.10 and

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751 440.38. Such proof of compensation must be evidenced by a
752 certificate of coverage issued by the carrier, a valid exemption
753 certificate approved by the department, or a copy of the
754 employer's authority to self-insure and shall be presented,
755 electronically or physically, each time the employer applies for
756 a building permit. As provided in s. 553.79(23) ~~s. 553.79(24)~~,
757 for the purpose of inspection and record retention, site plans
758 or building permits may be maintained at the worksite in the
759 original form or in the form of an electronic copy. These plans
760 and permits must be open to inspection by the building official
761 or a duly authorized representative, as required by the Florida
762 Building Code. As provided in s. 627.413(5), each certificate of
763 coverage must show, on its face, whether or not coverage is
764 secured under the minimum premium provisions of rules adopted by
765 rating organizations licensed pursuant to s. 627.221. The words
766 "minimum premium policy" or equivalent language shall be typed,
767 printed, stamped, or legibly handwritten.

768 Section 9. Except as otherwise expressly provided in this
769 act and except for this section, which shall take effect upon
770 this act becoming a law, this act shall take effect January 1,
771 2025.