

By the Committees on Fiscal Policy; and Community Affairs; and
Senator DiCeglie

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1 A bill to be entitled
2 An act relating to residential building permits;
3 creating s. 177.073, F.S.; defining terms; requiring
4 certain governing bodies, by a date certain, to create
5 a program to expedite the process for issuing
6 residential building permits before a final plat is
7 recorded; providing an exception; requiring a
8 governing body to create certain processes for
9 purposes of the program; authorizing applicants to use
10 a private provider for certain reviews; authorizing a
11 governing body to issue addresses and temporary parcel
12 identification numbers for specified purposes;
13 requiring a governing body to issue a certain number
14 or percentage of building permits requested in an
15 application when certain conditions are met; providing
16 certain conditions for applicants who apply to the
17 program; providing that an applicant has a vested
18 right in an approved preliminary plat when certain
19 conditions are met; requiring local building officials
20 to mail a signed, certified letter with specified
21 information to the Department of Business and
22 Professional Regulation after the governing body
23 creates the program; amending s. 553.73, F.S.;
24 requiring the Florida Building Commission to modify a
25 specific provision of the Florida Building Code to
26 state that sealed drawings by a design professional
27 are not required for replacement and installation of
28 certain construction; requiring replacement windows,
29 doors, and garage doors to be installed in accordance

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30 with the manufacturer's instructions for appropriate
31 wind zones and to meet certain design pressures of the
32 Florida Building Code; requiring the manufacturer's
33 instructions to be submitted with the permit
34 application for such replacements; defining the term
35 "windborne debris region"; providing construction;
36 amending s. 553.79, F.S.; removing provisions relating
37 to acquiring building permits for certain residential
38 dwellings; amending s. 553.791, F.S.; defining the
39 term "private provider firm"; requiring a fee owner or
40 the fee owner's contractor to annually provide the
41 local building official with specified information and
42 a specified acknowledgment; requiring the local
43 building official to issue a permit or provide written
44 notice to the applicant with certain information if
45 the private provider is a licensed engineer or
46 architect who affixes his or her professional seal to
47 the affidavit; providing that the permit application
48 is deemed approved, and must be issued on the next
49 business day, if the local building official does not
50 meet the prescribed deadline; prohibiting a local
51 building code enforcement agency from auditing the
52 performance of building code inspection services by
53 private providers until the agency has created a
54 manual for standard operating audit procedures for the
55 agency's internal inspection and review staff;
56 providing requirements for the manual; requiring that
57 the manual be made publicly available; requiring the
58 agency to make publicly available its audits for the

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59 two prior fiscal quarters; revising the number of
60 times a private provider may be audited within a
61 specified timeframe; requiring the agency to notify,
62 in writing, the private provider or private provider
63 firm of any additional audits; conforming provisions
64 to changes made by the act; making technical changes;
65 amending s. 553.792, F.S.; revising the timeframes for
66 approving, approving with conditions, or denying
67 certain building permits; prohibiting the local
68 government from requiring a waiver of such timeframes
69 as a condition precedent to reviewing an applicant's
70 building permit application; requiring the local
71 government to follow the prescribed timeframes unless
72 those set by local ordinance are more stringent;
73 requiring a local government to provide written notice
74 to an applicant under certain circumstances; requiring
75 a local government to reduce permit fees by a certain
76 percentage if certain deadlines are not met; providing
77 exceptions; specifying requirements for the written
78 notice to the permit applicant; specifying a timeframe
79 for the applicant to correct the application;
80 specifying a timeframe for the local government and
81 local enforcement agency to approve or deny certain
82 building permits following revision; requiring a
83 reduction in the building permit fee if the approval
84 deadline is not met; providing an exception; amending
85 s. 553.80, F.S.; authorizing local governments to use
86 certain fees for certain technology upgrades; making
87 technical changes; amending s. 440.103, F.S.;

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88 conforming a cross-reference; providing an effective
89 date.

90

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

92

93 Section 1. Section 177.073, Florida Statutes, is created to
94 read:

95 177.073 Expedited approval of residential building permits
96 before a final plat is recorded.—

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

98 (a) "Final plat" means the final tracing, map, or site plan
99 presented by the subdivider to a governing body for final
100 approval and, upon approval by the appropriate governing body,
101 submitted to the clerk of the circuit court for recording.

102 (b) "Local building official" has the same meaning as in s.
103 553.791.

104 (c) "Plans" means any building plans, construction plans,
105 engineering plans, or site plans, or their functional
106 equivalent, submitted by an applicant for a building permit.

107 (d) "Preliminary plat" means a map or delineated
108 representation of the subdivision of lands which is a complete
109 and exact representation of the residential subdivision and
110 contains any additional information needed to be in compliance
111 with the requirements of this chapter.

112 (2) (a) By August 15, 2024, a governing body that has 30,000
113 residents or more shall create a program to expedite the process
114 for issuing building permits for residential subdivisions in
115 accordance with the Florida Building Code and this section
116 before a final plat is recorded with the clerk of the circuit

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117 court.

118 (b) A governing body that has a program in place before
119 July 1, 2024, to expedite the building permit process, need only
120 update its program to approve an applicant's request to issue up
121 to 50 percent of the building permits for the residential
122 subdivision in order to comply with this section.

123 (3) A governing body shall create all of the following:

124 (a) A two-step application process that includes the
125 adoption of a preliminary plat and a final plat in order to
126 expedite the issuance of building permits under this section.
127 The governing body shall maximize its administrative processes
128 to expedite the review and approval of applications, plats, and
129 plans submitted under this section.

130 (b) A master building permit application process consistent
131 with s. 553.794(3) for applicants seeking multiple building
132 permits for planned residential subdivisions.

133 (4) An applicant may use a private provider consistent with
134 s. 553.791 to review a preliminary plat and building permit for
135 each residential building or structure.

136 (5) A governing body may work with appropriate local
137 governmental agencies to issue an address and a temporary parcel
138 identification number for lot lines and lot sizes based on the
139 metes and bounds of the plat contained in the application.

140 (6) If an applicant requests a certain number or percentage
141 of building permits in his or her application, the governing
142 body must issue the number or percentage requested in accordance
143 with the Florida Building Code, provided the residential
144 buildings or structures are unoccupied and all of the following
145 conditions are met:

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146 (a) The governing body has approved a preliminary plat for
147 each residential building or structure.

148 (b) The applicant provides proof to the governing body that
149 the applicant has given a copy of the approved preliminary plat,
150 along with the approved plans, to the relevant electric, water,
151 and wastewater utilities.

152 (c) The applicant holds a valid performance bond for up to
153 120 percent of the necessary utilities, roads, and stormwater
154 improvements that have not been completed upon submission of the
155 application under this section.

156 (7) (a) An applicant may contract to sell, but may not
157 transfer ownership of, a residential structure or building
158 located in the residential subdivision until the final plat is
159 approved by the governing body and recorded in the public
160 records by the clerk of the circuit court.

161 (b) An applicant may not obtain a final certificate of
162 occupancy with respect to each residential structure or building
163 for which a building permit is issued until the final plat is
164 approved by the governing body and recorded in the public
165 records by the clerk of the circuit court.

166 (c) An applicant must indemnify and hold harmless the
167 governing body and its agents and employees from damages,
168 including damages resulting from fire, flood, construction
169 defects, and bodily injury, accruing and directly related to the
170 issuance of a building permit for a residential building or
171 structure located in the residential subdivision before the
172 approval and recording of the final plat by the governing body.

173 (8) For purposes of this section, an applicant has a vested
174 right in a preliminary plat that has been approved by a

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175 governing body if all of the following conditions are met:

176 (a) The applicant relies in good faith on the approved
177 preliminary plat.

178 (b) The applicant substantially changes his or her
179 position, including making improvements pursuant to s.
180 177.031(9), or incurs other obligations and expenses.

181 (c) Any change by the governing body would constitute an
182 inequitable interference in the approved preliminary plat.

183 (9) After a governing body creates the program required
184 under this section, the local building official shall send to
185 the Department of Business and Professional Regulation by
186 certified mail, return receipt requested, a signed, certified
187 letter indicating that the program has been established. The
188 letter must contain a brief explanation of the program,
189 including how the program expedites the process of issuing
190 building permits for residential subdivisions before the final
191 plat is recorded.

192 Section 2. Paragraphs (g) and (h) are added to subsection
193 (7) of section 553.73, Florida Statutes, to read:

194 553.73 Florida Building Code.—

195 (7)

196 (g) The Florida Building Commission shall modify section
197 505 of the Florida Building Code, 8th edition (2023) Existing
198 Building, to state that sealed drawings by a design professional
199 may not be required for the replacement of windows, doors, or
200 garage doors. Replacement windows, doors, and garage doors must
201 be installed in accordance with the manufacturer's instructions
202 for the appropriate wind zone and must meet the design pressure
203 and the current Florida Building Code. The manufacturer's

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204 instructions must be submitted with the permit application for
205 replacement windows, doors, and garage doors. The manufacturer's
206 installation instructions may be printed or in digital format.

207 (h) As used in this section, the term "windborne debris
208 region" has the same meaning as in the Florida Building Code,
209 7th edition, Residential, until the adoption of the 9th edition
210 of the Florida Building Code. This paragraph may not be
211 construed to prohibit a homeowner or contractor from voluntarily
212 complying with the definition of the term windborne debris
213 region originally established in the 8th edition, until the
214 adoption of the 9th edition.

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

217 553.79 Permits; applications; issuance; inspections.-

218 ~~(16) Except as provided in paragraph (e), a building permit~~
219 ~~for a single-family residential dwelling must be issued within~~
220 ~~30 business days after receiving the permit application unless~~
221 ~~the permit application fails to satisfy the Florida Building~~
222 ~~Code or the enforcing agency's laws or ordinances.~~

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

230 ~~(b) A local enforcement agency does not have to reduce the~~
231 ~~building permit fee if it provides written notice to the~~
232 ~~applicant, by e-mail or United States Postal Service, within 30~~

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233 ~~business days after receiving the permit application, that~~
234 ~~specifically states the reasons the permit application fails to~~
235 ~~satisfy the Florida Building Code or the enforcing agency's laws~~
236 ~~or ordinances. The written notice must also state that the~~
237 ~~applicant has 10 business days after receiving the written~~
238 ~~notice to submit revisions to correct the permit application and~~
239 ~~that failure to correct the application within 10 business days~~
240 ~~will result in a denial of the application.~~

241 ~~(c) The applicant has 10 business days after receiving the~~
242 ~~written notice to address the reasons specified by the local~~
243 ~~enforcement agency and submit revisions to correct the permit~~
244 ~~application. If the applicant submits revisions within 10~~
245 ~~business days after receiving the written notice, the local~~
246 ~~enforcement agency has 10 business days after receiving such~~
247 ~~revisions to approve or deny the building permit unless the~~
248 ~~applicant agrees to a longer period in writing. If the local~~
249 ~~enforcement agency fails to issue or deny the building permit~~
250 ~~within 10 business days after receiving the revisions, it must~~
251 ~~reduce the building permit fee by 20 percent for the first~~
252 ~~business day that it fails to meet the deadline unless the~~
253 ~~applicant agrees to a longer period in writing. For each~~
254 ~~additional business day, but not to exceed 5 business days, that~~
255 ~~the local enforcement agency fails to meet the deadline, the~~
256 ~~building permit fee must be reduced by an additional 10 percent.~~
257 ~~Each reduction shall be based on the original amount of the~~
258 ~~building permit fee.~~

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

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262 ~~fees after the refund.~~

263 ~~(e) A building permit for a single-family residential~~
264 ~~dwelling applied for by a contractor licensed in this state on~~
265 ~~behalf of a property owner who participates in a Community~~
266 ~~Development Block Grant Disaster Recovery program administered~~
267 ~~by the Department of Economic Opportunity must be issued within~~
268 ~~15 working days after receipt of the application unless the~~
269 ~~permit application fails to satisfy the Florida Building Code or~~
270 ~~the enforcing agency's laws or ordinances.~~

271 Section 4. Present paragraphs (o) through (r) of subsection
272 (1) and present subsections (10) through (21) of section
273 553.791, Florida Statutes, are redesignated as paragraphs (p)
274 through (s) and subsections (11) through (22), respectively, a
275 new paragraph (o) is added to subsection (1) and a new
276 subsection (10) is added to that section, and present paragraph
277 (o) of subsection (1), paragraph (c) of subsection (4),
278 subsection (5), paragraphs (b) and (d) of subsection (7),
279 paragraph (b) of present subsection (13), paragraph (b) of
280 present subsection (16), and present subsection (19) of that
281 section are amended, to read:

282 553.791 Alternative plans review and inspection.-

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

284 (o) "Private provider firm" means a business organization,
285 including a corporation, partnership, business trust, or other
286 legal entity, which offers services under this chapter to the
287 public through licensees who are acting as agents, employees,
288 officers, or partners of the firm. A person who is licensed as a
289 building code administrator under part XII of chapter 468, as an
290 engineer under chapter 471, or as an architect under chapter 481

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291 may act as a private provider for an agent, employee, or officer
292 of the private provider firm.

293 (p)~~(e)~~ "Request for certificate of occupancy or certificate
294 of completion" means a properly completed and executed
295 application for:

296 1. A certificate of occupancy or certificate of completion.

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

299 3. Any applicable fees.

300 4. Any documents required by the local building official to
301 determine that the fee owner has secured all other government
302 approvals required by law.

303 (4) A fee owner or the fee owner's contractor using a
304 private provider to provide building code inspection services
305 shall notify the local building official in writing at the time
306 of permit application, or by 2 p.m. local time, 2 business days
307 before the first scheduled inspection by the local building
308 official or building code enforcement agency that a private
309 provider has been contracted to perform the required inspections
310 of construction under this section, including single-trade
311 inspections, on a form to be adopted by the commission. This
312 notice shall include the following information:

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

315

316 I have elected to use one or more private providers to
317 provide building code plans review and/or inspection
318 services on the building or structure that is the
319 subject of the enclosed permit application, as

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320 authorized by s. 553.791, Florida Statutes. I
321 understand that the local building official may not
322 review the plans submitted or perform the required
323 building inspections to determine compliance with the
324 applicable codes, except to the extent specified in
325 said law. Instead, plans review and/or required
326 building inspections will be performed by licensed or
327 certified personnel identified in the application. The
328 law requires minimum insurance requirements for such
329 personnel, but I understand that I may require more
330 insurance to protect my interests. By executing this
331 form, I acknowledge that I have made inquiry regarding
332 the competence of the licensed or certified personnel
333 and the level of their insurance and am satisfied that
334 my interests are adequately protected. I agree to
335 indemnify, defend, and hold harmless the local
336 government, the local building official, and their
337 building code enforcement personnel from any and all
338 claims arising from my use of these licensed or
339 certified personnel to perform building code
340 inspection services with respect to the building or
341 structure that is the subject of the enclosed permit
342 application.

343
344 If the fee owner or the fee owner's contractor makes any changes
345 to the listed private providers or the services to be provided
346 by those private providers, the fee owner or the fee owner's
347 contractor shall, within 1 business day after any change or
348 within 2 business days before the next scheduled inspection,

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349 update the notice to reflect such changes. A change of a duly
350 authorized representative named in the permit application does
351 not require a revision of the permit, and the building code
352 enforcement agency shall not charge a fee for making the change.
353

354 (5) After construction has commenced and if the local
355 building official is unable to provide inspection services in a
356 timely manner, the fee owner or the fee owner's contractor may
357 elect to use a private provider to provide inspection services
358 by notifying the local building official of the owner's or
359 contractor's intention to do so by 2 p.m. local time, 2 business
360 days before the next scheduled inspection using the notice
361 provided for in paragraphs (4) (a)-(c).

362 (7)

363 (b) If the local building official provides a written
364 notice of plan deficiencies to the permit applicant within the
365 prescribed 20-day period, the 20-day period shall be tolled
366 pending resolution of the matter. To resolve the plan
367 deficiencies, the permit applicant may elect to dispute the
368 deficiencies pursuant to subsection (15) ~~(14)~~ or to submit
369 revisions to correct the deficiencies.

370 (d) If the local building official provides a second
371 written notice of plan deficiencies to the permit applicant
372 within the prescribed time period, the permit applicant may
373 elect to dispute the deficiencies pursuant to subsection (15)
374 ~~(14)~~ or to submit additional revisions to correct the
375 deficiencies. For all revisions submitted after the first
376 revision, the local building official has an additional 5
377 business days from the date of resubmittal to issue the

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378 requested permit or to provide a written notice to the permit
379 applicant stating which of the previously identified plan
380 features remain in noncompliance with the applicable codes, with
381 specific reference to the relevant code chapters and sections.

382 (10) When the private provider is a person licensed as an
383 engineer under chapter 471 or as an architect under chapter 481
384 and affixes his or her professional seal to the affidavit
385 required under subsection (6), the local building official must
386 issue the requested permit or provide a written notice to the
387 permit applicant identifying the specific plan features that do
388 not comply with the applicable codes, as well as the specific
389 code chapters and sections, within 12 business days after
390 receipt of the permit application and affidavit. In such written
391 notice, the local building official shall provide with
392 specificity the plan's deficiencies, the reasons the permit
393 application failed, and the applicable codes being violated. If
394 the local building official does not provide specific written
395 notice to the permit applicant within the prescribed 12-day
396 period, the permit application is deemed approved as a matter of
397 law, and the permit must be issued by the local building
398 official on the next business day.

399 (14) ~~(13)~~

400 (b) If the local building official does not provide notice
401 of the deficiencies within the applicable time periods under
402 paragraph (a), the request for a certificate of occupancy or
403 certificate of completion is automatically granted and deemed
404 issued as of the next business day. The local building official
405 must provide the applicant with the written certificate of
406 occupancy or certificate of completion within 10 days after it

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407 is automatically granted and issued. To resolve any identified
408 deficiencies, the applicant may elect to dispute the
409 deficiencies pursuant to subsection (15) ~~(14)~~ or to submit a
410 corrected request for a certificate of occupancy or certificate
411 of completion.

412 ~~(17)~~ ~~(16)~~

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

419 ~~(20)~~ ~~(19)~~ A Each local building code enforcement agency may
420 not audit the performance of building code inspection services
421 by private providers operating within the local jurisdiction
422 until the agency has created a manual for standard operating
423 audit procedures for the agency's internal inspection and review
424 staff which includes, at a minimum, the audit purpose and scope,
425 audit criteria, an explanation of audit processes and
426 objectives, and detailed findings of areas of noncompliance. The
427 manual must be publicly available online or the printed manual
428 must be readily accessible in building department offices, and
429 the audit results of the staff for the prior two quarters must
430 be publicly available. The agency's private provider audit
431 processes must adhere to the agency's posted standard operating
432 audit procedures. ~~However,~~ The same private provider may not be
433 audited more than four times in a year ~~month~~ unless the local
434 building official determines a condition of a building
435 constitutes an immediate threat to public safety and welfare,

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436 which must be communicated in writing to the private provider or
437 private provider firm. Work on a building or structure may
438 proceed after inspection and approval by a private provider. ~~if~~
439 ~~the provider has given notice of the inspection pursuant to~~
440 ~~subsection (9) and, subsequent to such inspection and approval,~~
441 The work may ~~shall~~ not be delayed for completion of an
442 inspection audit by the local building code enforcement agency.

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

445 553.792 Building permit application to local government.—

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

451 1. Within 30 business days after receiving a complete and
452 sufficient application, for an applicant using a local
453 government plans reviewer to obtain the following building
454 permits for structures less than 7,500 square feet: residential
455 units including a single-family residential unit or a single-
456 family residential dwelling, accessory structure, alarm,
457 electrical, irrigation, landscaping, mechanical, plumbing, or
458 roofing.

459 2. Within 60 business days after receiving a complete and
460 sufficient application, for an applicant using a local
461 government plans reviewer to obtain the following building
462 permits for structures of 7,500 square feet or greater:
463 residential units including a single-family residential unit or
464 a single-family residential dwelling, accessory structure,

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465 alarm, electrical, irrigation, landscaping, mechanical,
466 plumbing, or roofing.

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

472 4. Within 120 business days after receiving a complete and
473 sufficient application, for an applicant using a local
474 government plans reviewer to obtain the following building
475 permits: multifamily residential not exceeding 50 units; site-
476 plan approvals and subdivision plats not requiring public
477 hearing or public notice; and lot grading and site alteration.

478 5. Within 15 business days after receiving a complete and
479 sufficient application, for an applicant using a master building
480 permit consistent with s. 553.794 to obtain a site-specific
481 building permit.

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

490
491 However, the local government may not require the waiver as a
492 condition precedent to reviewing an applicant's building permit
493 application.

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

498 (c) After ~~Within 10 days of~~ an applicant submits ~~submitting~~
499 an application to the local government, the local government
500 must provide written notice to the applicant within 5 business
501 days after receipt of the application advising ~~shall advise~~ the
502 applicant what information, if any, is needed to deem or
503 determine that the application is properly completed in
504 compliance with the filing requirements published by the local
505 government. If the local government does not provide timely
506 written notice that the applicant has not submitted the properly
507 completed application, the application is ~~shall be~~ automatically
508 deemed or determined to be properly completed and accepted.
509 ~~Within 45 days after receiving a completed application, a local~~
510 ~~government must notify an applicant if additional information is~~
511 ~~required for the local government to determine the sufficiency~~
512 ~~of the application, and shall specify the additional information~~
513 ~~that is required. The applicant must submit the additional~~
514 ~~information to the local government or request that the local~~
515 ~~government act without the additional information. While the~~
516 ~~applicant responds to the request for additional information,~~
517 ~~the 120-day period described in this subsection is tolled. Both~~
518 ~~parties may agree to a reasonable request for an extension of~~
519 ~~time, particularly in the event of a force majeure or other~~
520 ~~extraordinary circumstance. The local government must approve,~~
521 ~~approve with conditions, or deny the application within 120 days~~
522 ~~following receipt of a completed application.~~

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

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

531 ~~2. If a local government requests additional information~~
532 ~~from an applicant and the applicant submits the requested~~
533 ~~additional information to the local government within 30 days~~
534 ~~after receiving the request, the local government must, within~~
535 ~~15 days after receiving such information:~~

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

537 ~~b. Approve the application;~~

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

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

540 ~~e. Advise the applicant of information, if any, that is~~
541 ~~needed to deem the application properly completed or to~~
542 ~~determine the sufficiency of the application.~~

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

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

550 ~~b. Approve the application;~~

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

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

553 ~~e. Advise the applicant of information, if any, that is~~
554 ~~needed to deem the application properly completed or to~~
555 ~~determine the sufficiency of the application.~~

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

566 ~~a. Approve the application;~~

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

568 ~~c. Deny the application.~~

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

575 ~~(e)-(e)~~ If a local government fails to meet a deadline under
576 this subsection provided in paragraphs (a) and (b), it must
577 reduce the building permit fee by 10 percent for each business
578 day that it fails to meet the deadline, unless the parties agree
579 in writing to a reasonable extension of time, the delay is
580 caused by the applicant, or the delay is attributable to a force

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581 majeure or other extraordinary circumstances. Each 10-percent
582 reduction shall be based on the original amount of the building
583 permit fee, unless the parties agree to an extension of time.

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

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

605 ~~(2)(a) The procedures set forth in subsection (1) apply to~~
606 ~~the following building permit applications: accessory structure;~~
607 ~~alarm permit; nonresidential buildings less than 25,000 square~~
608 ~~feet; electric; irrigation permit; landscaping; mechanical;~~
609 ~~plumbing; residential units other than a single family unit;~~

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610 ~~multifamily residential not exceeding 50 units; roofing; signs;~~
611 ~~site plan approvals and subdivision plats not requiring public~~
612 ~~hearings or public notice; and lot grading and site alteration~~
613 ~~associated with the permit application set forth in this~~
614 ~~subsection. The procedures set forth in subsection (1) do not~~
615 ~~apply to permits for any wireless communications facilities or~~
616 ~~when a law, agency rule, or local ordinance specify different~~
617 ~~timeframes for review of local building permit applications.~~

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

630 Section 6. Paragraph (a) of subsection (7) of section
631 553.80, Florida Statutes, is amended to read:

632 553.80 Enforcement.—

633 (7) (a) The governing bodies of local governments may
634 provide a schedule of reasonable fees, as authorized by s.
635 125.56(2) or s. 166.222 and this section, for enforcing this
636 part. These fees, and any fines or investment earnings related
637 to the fees, may ~~shall~~ be used only ~~solely~~ for carrying out the
638 local government's responsibilities in enforcing the Florida

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639 Building Code. When providing a schedule of reasonable fees, the
640 total estimated annual revenue derived from fees, and the fines
641 and investment earnings related to the fees, may not exceed the
642 total estimated annual costs of allowable activities. Any
643 unexpended balances must be carried forward to future years for
644 allowable activities or must be refunded at the discretion of
645 the local government. A local government may not carry forward
646 an amount exceeding the average of its operating budget for
647 enforcing the Florida Building Code for the previous 4 fiscal
648 years. For purposes of this subsection, the term "operating
649 budget" does not include reserve amounts. Any amount exceeding
650 this limit must be used as authorized in subparagraph 2.
651 However, a local government that established, as of January 1,
652 2019, a Building Inspections Fund Advisory Board consisting of
653 five members from the construction stakeholder community and
654 carries an unexpended balance in excess of the average of its
655 operating budget for the previous 4 fiscal years may continue to
656 carry such excess funds forward upon the recommendation of the
657 advisory board. The basis for a fee structure for allowable
658 activities must relate to the level of service provided by the
659 local government and must include consideration for refunding
660 fees due to reduced services based on services provided as
661 prescribed by s. 553.791, but not provided by the local
662 government. Fees charged must be consistently applied.

663 1. As used in this subsection, the phrase "enforcing the
664 Florida Building Code" includes the direct costs and reasonable
665 indirect costs associated with review of building plans,
666 building inspections, reinspections, and building permit
667 processing; building code enforcement; and fire inspections

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668 associated with new construction. The phrase may also include
669 training costs associated with the enforcement of the Florida
670 Building Code and enforcement action pertaining to unlicensed
671 contractor activity to the extent not funded by other user fees.

672 2. A local government must use any excess funds that it is
673 prohibited from carrying forward to rebate and reduce fees, to
674 upgrade hardware and software technology systems to enhance
675 service delivery, ~~or~~ to pay for the construction of a building
676 or structure that houses a local government's building code
677 enforcement agency, or for ~~the~~ training programs for building
678 officials, inspectors, or plans examiners associated with the
679 enforcement of the Florida Building Code. Excess funds used to
680 construct such a building or structure must be designated for
681 such purpose by the local government and may not be carried
682 forward for more than 4 consecutive years. An owner or builder
683 who has a valid building permit issued by a local government for
684 a fee, or an association of owners or builders located in the
685 state that has members with valid building permits issued by a
686 local government for a fee, may bring a civil action against the
687 local government that issued the permit for a fee to enforce
688 this subparagraph.

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

691 a. Planning and zoning or other general government
692 activities.

693 b. Inspections of public buildings for a reduced fee or no
694 fee.

695 c. Public information requests, community functions,
696 boards, and any program not directly related to enforcement of

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697 the Florida Building Code.

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

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

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

- 712 a. Providing proof of licensure under chapter 489;
713 b. Recording or filing a license issued under this chapter;
714 c. Providing, recording, or filing evidence of workers'
715 compensation insurance coverage as required by chapter 440; or
716 d. Charging surcharges or other similar fees not directly
717 related to enforcing the Florida Building Code.

718 Section 7. Section 440.103, Florida Statutes, is amended to
719 read:

720 440.103 Building permits; identification of minimum premium
721 policy.—Every employer shall, as a condition to applying for and
722 receiving a building permit, show proof and certify to the
723 permit issuer that it has secured compensation for its employees
724 under this chapter as provided in ss. 440.10 and 440.38. Such
725 proof of compensation must be evidenced by a certificate of

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726 coverage issued by the carrier, a valid exemption certificate
727 approved by the department, or a copy of the employer's
728 authority to self-insure and shall be presented, electronically
729 or physically, each time the employer applies for a building
730 permit. As provided in s. 553.79(23) ~~s. 553.79(24)~~, for the
731 purpose of inspection and record retention, site plans or
732 building permits may be maintained at the worksite in the
733 original form or in the form of an electronic copy. These plans
734 and permits must be open to inspection by the building official
735 or a duly authorized representative, as required by the Florida
736 Building Code. As provided in s. 627.413(5), each certificate of
737 coverage must show, on its face, whether or not coverage is
738 secured under the minimum premium provisions of rules adopted by
739 rating organizations licensed pursuant to s. 627.221. The words
740 "minimum premium policy" or equivalent language shall be typed,
741 printed, stamped, or legibly handwritten.

742 Section 8. This act shall take effect July 1, 2024.