

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Industries & Professional
2 Activities Subcommittee

3 Representative Esposito offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Paragraph (d) of subsection (4) of section**

8 **125.56, Florida Statutes, is amended to read:**

9 125.56 Enforcement and amendment of the Florida Building
10 Code and the Florida Fire Prevention Code; inspection fees;
11 inspectors; etc.—

12 (4)

13 (d) A county that issues building permits may send a
14 written notice of expiration, by e-mail or United States Postal
15 Service, to the owner of the property and the contractor listed
16 on the permit, no less than 30 days before a building permit is

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17 set to expire. The written notice must identify the permit that
18 is set to expire and the date the permit will expire. A building
19 permit issued by a county for a single-family dwelling may not
20 expire before 180 days after the issuance of the permit or the
21 effective date of the next edition of the Florida Building Code,
22 which is updated every 3 years pursuant to s. 553.73(7)(a),
23 whichever is later.

24 **Section 2. Paragraph (o) of subsection (1) of section**
25 **489.129, Florida Statutes, is amended to read:**

26 489.129 Disciplinary proceedings.—

27 (1) The board may take any of the following actions
28 against any certificateholder or registrant: place on probation
29 or reprimand the licensee, revoke, suspend, or deny the issuance
30 or renewal of the certificate or registration, require financial
31 restitution to a consumer for financial harm directly related to
32 a violation of a provision of this part, impose an
33 administrative fine not to exceed \$10,000 per violation, require
34 continuing education, or assess costs associated with
35 investigation and prosecution, if the contractor, financially
36 responsible officer, or business organization for which the
37 contractor is a primary qualifying agent, a financially
38 responsible officer, or a secondary qualifying agent responsible
39 under s. 489.1195 is found guilty of any of the following acts:

40 (o) Proceeding on any job without obtaining applicable
41 local building department permits and inspections, unless

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42 otherwise provided by law.

43
44 For the purposes of this subsection, construction is considered
45 to be commenced when the contract is executed and the contractor
46 has accepted funds from the customer or lender. A contractor
47 does not commit a violation of this subsection when the
48 contractor relies on a building code interpretation rendered by
49 a building official or person authorized by s. 553.80 to enforce
50 the building code, absent a finding of fraud or deceit in the
51 practice of contracting, or gross negligence, repeated
52 negligence, or negligence resulting in a significant danger to
53 life or property on the part of the building official, in a
54 proceeding under chapter 120.

55 **Section 3. Paragraphs (a) and (c) of subsection (1) of**
56 **section 553.79, Florida Statutes, are amended, and paragraph (g)**
57 **of that subsection is created, to read:**

58 553.79 Permits; applications; issuance; inspections.—

59 (1) (a) Unless otherwise provided by law, after the
60 effective date of the Florida Building Code adopted as herein
61 provided, it shall be unlawful for any person, firm,
62 corporation, or governmental entity to construct, erect, alter,
63 modify, repair, or demolish any building within this state
64 without first obtaining a permit therefor from the appropriate
65 enforcing agency or from such persons as may, by appropriate
66 resolution or regulation of the authorized state or local

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67 enforcing agency, be delegated authority to issue such permits,
68 upon the payment of such reasonable fees adopted by the
69 enforcing agency. The enforcing agency is empowered to revoke
70 any such permit upon a determination by the agency that the
71 construction, erection, alteration, modification, repair, or
72 demolition of the building for which the permit was issued is in
73 violation of, or not in conformity with, the provisions of the
74 Florida Building Code. Whenever a permit required under this
75 section is denied or revoked because the plan, or the
76 construction, erection, alteration, modification, repair, or
77 demolition of a building, is found by the local enforcing agency
78 to be not in compliance with the Florida Building Code, the
79 local enforcing agency shall identify the specific plan or
80 project features that do not comply with the applicable codes,
81 identify the specific code chapters and sections upon which the
82 finding is based, and provide this information to the permit
83 applicant. A plans reviewer or building code administrator who
84 is responsible for issuing a denial, revocation, or modification
85 request but fails to provide to the permit applicant a reason
86 for denying, revoking, or requesting a modification, based on
87 compliance with the Florida Building Code or local ordinance, is
88 subject to disciplinary action against his or her license
89 pursuant to s. 468.621(1)(i). Installation, replacement,
90 removal, or metering of any load management control device is
91 exempt from and shall not be subject to the permit process and

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92 fees otherwise required by this section.

93 (c) A local government that issues building permits may
94 send a written notice of expiration, by e-mail or United States
95 Postal Service, to the owner of the property and the contractor
96 listed on the permit, no less than 30 days before a building
97 permit is set to expire. The written notice must identify the
98 permit that is set to expire and the date the permit will
99 expire. A building permit issued by a county for a single-family
100 dwelling may not expire before 180 days after the issuance of
101 the permit or the effective date of the next edition of the
102 Florida Building Code, which is updated every 3 years pursuant
103 to s. 553.73(7)(a), whichever is later.

104 (g)1. A local government that issues building permits shall
105 not require an owner of a single-family dwelling or an owner's
106 contractor to obtain a building permit to perform any work,
107 which is valued at less than \$7,500, on the single-family
108 dwelling's lot. However, a local government may require a
109 building permit for any electrical, plumbing, or structural
110 work, not including the repair or replacement of exterior doors
111 or windows, performed on a lot containing a single-family
112 dwelling regardless of the value of the work.

113 2. A contractor who performs work that does not require a
114 permit under this paragraph must keep a record in writing of the
115 work performed, the property address where the work was
116 performed, and the value of such work as proof that such work

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117 complies with subparagraph 1.

118 **Section 4. Paragraph (a) of subsection (1) of section**
119 **553.792, Florida Statutes is amended, and present paragraphs (b)**
120 **through (g) of subsection (1) of that section, are redesignated**
121 **as paragraphs (c) through (h), respectively, and a new paragraph**
122 **(b) is added to that subsection, to read:**

123 553.792 Building permit application to local government.—

124 (1) (a) A local government must approve, approve with
125 conditions, or deny a building permit application after receipt
126 of a completed and sufficient application within the following
127 timeframes, unless the applicant waives such timeframes in
128 writing:

129 1. Within 5 business days after receiving a complete and
130 sufficient application, for an applicant using a local
131 government plans reviewer to obtain the following building
132 permits for an existing single-family residential dwelling if
133 the value of the work is less than \$15,000: structural,
134 accessory structure, alarm, electrical, irrigation, landscaping,
135 mechanical, plumbing, or roofing.

136 ~~2.1.~~ Within 30 business days after receiving a complete
137 and sufficient application, for an applicant using a local
138 government plans reviewer to obtain the following building
139 permits if the structure is less than 7,500 square feet:
140 residential units, including a single-family residential unit or
141 a single-family residential dwelling, accessory structure,

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142 alarm, electrical, irrigation, landscaping, mechanical,
143 plumbing, or roofing.

144 ~~3.2.~~ Within 60 business days after receiving a complete
145 and sufficient application, for an applicant using a local
146 government plans reviewer to obtain the following building
147 permits if the structure is 7,500 square feet or more:
148 residential units, including a single-family residential unit or
149 a single-family residential dwelling, accessory structure,
150 alarm, electrical, irrigation, landscaping, mechanical,
151 plumbing, or roofing.

152 ~~4.3.~~ Within 60 business days after receiving a complete
153 and sufficient application, for an applicant using a local
154 government plans reviewer to obtain the following building
155 permits: signs or nonresidential buildings that are less than
156 25,000 square feet.

157 ~~5.4.~~ Within 60 business days after receiving a complete
158 and sufficient application, for an applicant using a local
159 government plans reviewer to obtain the following building
160 permits: multifamily residential, not exceeding 50 units; site-
161 plan approvals and subdivision plats not requiring public
162 hearing or public notice; and lot grading and site alteration.

163 ~~6.5.~~ Within 12 business days after receiving a complete
164 and sufficient application, for an applicant using a master
165 building permit consistent with s. 553.794 to obtain a site-
166 specific building permit.

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167 ~~7.6.~~ Within 10 business days after receiving a complete
168 and sufficient application, for an applicant for a single-family
169 residential dwelling applied for by a contractor licensed in
170 this state on behalf of a property owner who participates in a
171 Community Development Block Grant-Disaster Recovery program
172 administered by the Department of Commerce, unless the permit
173 application fails to satisfy the Florida Building Code or the
174 enforcing agency's laws or ordinances.

175
176 However, the local government may not require the waiver of the
177 timeframes in this section as a condition precedent to reviewing
178 an applicant's building permit application.

179 (b) A permit application for the construction or
180 renovation of a single-family dwelling in a jurisdiction for
181 which a state of emergency was issued within the 24 months
182 before the submission of the application, and which is signed
183 and sealed with an attestation by an architect licensed under
184 chapter 481 or an engineer licensed under chapter 471 that the
185 plans in the permit comply with the Florida Building Code, is
186 deemed approved. The local government shall issue such permit
187 within 2 days after approval.

188 **Section 5.** This act shall take effect July 1, 2025.

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191 **T I T L E A M E N D M E N T**

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192 Remove lines 4-11 and insert:
193 prohibiting the expiration of certain building permits
194 issued by a county or a local government,
195 respectively, before a specified event; prohibiting
196 local governments from requiring building permits for
197 certain projects; amending s. 489.129, F.S., providing
198 that a contractor is not subject to discipline for
199 certain acts if authorized by law; amending s.
200 553.792, F.S.; requiring local governments to issue
201 certain permits within a certain timeframe; specifying
202 that certain permit applications are deemed approved
203 by a local government; requiring the local government
204 to issue such permit within a certain timeframe;
205 providing an effective date.