

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/CS/HB 683](#)

TITLE: Construction Regulations

SPONSOR(S): Griffitts

COMPANION BILL: [SB 712](#) (Grall)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Industries & Professional
Activities](#)

16 Y, 1 N, As CS



[Intergovernmental Affairs](#)

15 Y, 0 N, As CS



[Commerce](#)

SUMMARY

Effect of the Bill:

The bill:

- Requires the Department of Environmental Protection to adopt minimum standards for the installation of synthetic turf on single-family residential areas and prohibits local governments from adopting regulations inconsistent with those standards.
- Requires local governments to approve or deny change orders from their contractors within 30 days.
- Prohibits the state and political subdivisions from penalizing large volume construction bidders or rewarding small volume bidders.
- Revises the scope of certification for certified alarm system contractors.
- Requires the Florida Building Commission to adopt an amendment to the Florida Building Code recognizing tall mass timber as an allowable material in certain circumstances.
- Exempts certain structures related to space launch from the Florida Building Code.
- Prohibits local building departments from requiring copies of contracts and associated documents in order to apply for or receive a building permit.

Fiscal or Economic Impact:

The bill's requirement that local governments process change orders within 30 days may lead to a decrease in construction time and the prohibition on local governments from requiring copies of contracts and any associated documents as a condition to apply for or obtain a building permit may have a positive impact by preventing certain proprietary information from becoming public.

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ANALYSIS

EFFECT OF THE BILL:

Synthetic Turf Regulation

The bill requires the Department of Environmental Protection (DEP) to adopt minimum standards for the installation of synthetic turf on single-family residential areas that are one (1) acre or less in size. The standards must consider material type, permeability, stormwater management, potable water conservation, water quality, proximity to trees and other vegetation, and other factors impacting environmental conditions of adjacent properties. (Section [1](#))

Upon DEP's adoption of a rule containing these standards, the bill [prohibits local governments](#) from adopting or enforcing any [ordinance, resolution, order, rule, or policy](#) that **prohibits, or is used to prohibit**, a property owner from installing synthetic turf on his or her land if the turf complies with the standards adopted by DEP. (Section [1](#))

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The bill also prohibits a local government from adopting or enforcing any ordinance, resolution, order, rule, or policy that **regulates** synthetic turf that is inconsistent with the standards adopted by DEP. (Section [1](#))

The bill defines “[synthetic turf](#)” to mean “a manufactured product that resembles natural grass and is used as a surface for landscaping and recreational areas.” (Section [1](#))

The bill authorizes the Department of Environmental Protection to adopt rules to implement the prohibitions on local government synthetic turf regulations. (Section [1](#))

[Prompt Payment for Local Governments](#)

The bill provides that if a [local government entity](#) receives a price quote for a [change order](#) from its contractor, which meets all statutory and contractual requirements, the local government must provide written notice to the contractor approving or denying the price quote within 30 days. (Section [2](#))

If a local government denies the price quote, the written notice must specify the alleged deficiencies in the quote and list the actions necessary to remedy the deficiencies. If a local government fails to provide such information in the written denial notice then it is liable to the contractor for any additional labor, staffing, materials, supplies, equipment, and overhead associated with the change order. (Section [2](#))

A contract between a local government and a contractor may not alter these provisions. (Section [2](#))

[Public Works Projects](#)

The bill provides that the state or any political subdivision, which contracts for public works, may not penalize a bidder for performing a larger volume of construction work for the state or political subdivision, or reward a bidder for performing a smaller volume of construction work for the state or political subdivision. (Section [3](#))

[Specialty Electrical Contractors](#)

The bill revises the scope of certification for certified alarm system contractors to include the recently-adopted Article 722 of the National Electrical Code, concerning cables for power-limited circuits and fault-managed power circuits, and to include surveillance cameras. (Section [4](#))

[Florida Building Code](#)

The bill requires the Florida Building Commission to amend the Florida Building Code to recognize tall mass timber as an allowable material for certain construction types. This amendment is consistent with the changes in the 2024 edition of the International Building Code. The bill requires the commission to adopt these changes by the earlier of January 1, 2026 or the next update to the Florida Building Code. (Section [5](#))

The bill provides an exemption from the provisions of the Florida Building Code for any system or equipment located on the property of a spaceport which is used for space launch vehicles, payloads, or spacecraft. (Section [5](#))

[Building Permits](#)

The bill provides that a local enforcement agency may not require a copy of a contract between a builder and an owner or any associated documents, including, but not limited to, letters of intent, material costs lists, labor costs, or overhead or profit statements, as a requirement to apply for or receive a building permit. (Section [6](#))

The bill makes several conforming changes. (Section [7](#) and [8](#))

The bill provides an effective date of July 1, 2025. (Section [9](#))

RULEMAKING:

This bill authorizes the Department of Environmental Protection to adopt rules to implement the prohibitions on local government regulations of synthetic turf.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Synthetic Turf](#)

Synthetic turf, also known as “artificial grass” is a surface that closely replicates the look and feel of natural grass. Synthetic turf is a type of landscaping that eliminates the potentially unpredictable growth of natural grass.¹

Current law prohibits homeowners’ associations from restricting property owners or their tenants from installing, displaying, or storing synthetic turf that is not visible from the parcel’s frontage or an adjacent parcel.² However, there is no law restricting local governments from regulating synthetic turf.

[Home Rule Authority](#)

The Florida Constitution grants local governments broad home rule authority. Non-charter county governments may exercise those powers of self-government that are provided by general or special law.³ Counties operating under a county charter have all powers of self-government not inconsistent with general law or special law approved by the vote of the electors.⁴ Municipalities have governmental, corporate, and proprietary powers that enable them to conduct municipal government, perform municipal functions and provide municipal services, and exercise any power for municipal purposes except when expressly prohibited by law.⁵

[Preemption](#)

Preemption refers to principle that a federal or state statute can supersede or supplant state or local law that stands as an obstacle to accomplishing the full purposes and objectives of the overriding federal or state law.⁶ Florida law recognizes two types of preemption: express and implied. Express preemption requires a specific legislative statement; it cannot be implied or inferred.⁷ To expressly preempt a subject area, the Legislature must use clear statutory language stating its intention to do so.⁸ Implied preemption occurs when the Legislature has demonstrated an intent to preempt an area, though not expressly. Florida courts find implied preemption when “the legislative scheme is so pervasive as to evidence an intent to preempt the particular area, and where strong public policy reasons exist for finding such an area to be preempted by the Legislature.”⁹

¹ Kevin Sullivan, Artificial Turf 101: A Comprehensive Guide to Synthetic Grass, Turf Network Directory & Information Hub <https://turfnetwork.org/artificial-turf-101/> (last visited March 8, 2025).

² S. 720.3045, F.S.

³ [Art. VIII, s. 1\(f\), Fla. Const.](#)

⁴ [Art. VIII, s. 1\(g\), Fla. Const.](#)

⁵ [Art. VIII, s. 2\(b\)](#); see also s. [166.021\(1\), F.S.](#)

⁶ Preemption Definition, Black’s Law Dictionary (12th ed. 2024).

⁷ See *City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006); *Phantom of Clearwater, Inc. v. Pinellas County*, 894 So. 2d 1011, 1018 (Fla. 2d DCA 2005).

⁸ *Mulligan*, 934 So. 2d at 1243.

⁹ *Tallahassee Mem. Reg. Med. Ctr., Inc. v. Tallahassee Med. Ctr., Inc.*, 681 So. 2d 826, 831 (Fla. 1st DCA 1996).

Where state preemption applies, a local government may not exercise authority in that area.¹⁰ Whether a local government ordinance or other measure violates preemption is ultimately decided by a court. If a local government improperly enacts an ordinance or other measure on a matter preempted to the state, a person may challenge the ordinance by filing a lawsuit. A court ruling against the local government may declare the preempted ordinance void.¹¹

[Prompt Payment Act for Local Governments](#)

Chapter 218, part VII, F.S., is known as the “Local Government Prompt Payment Act” (“Act”). The purpose of the Act is to provide for prompt payments by local governments, apply interest on late payments made by local governments, and establish a dispute resolution process for contested payments.¹²

The Act defines “[local government entity](#),” as a county or municipal government, school board, school district, authority, special taxing district, other political subdivision, or any office, board, bureau, commission, department, branch, division, or institution thereof.¹³

Current law provides that when a local government entity enters into a contract for construction services¹⁴ with a contractor,¹⁵ the local government entity must identify the agent,¹⁶ employee, facility, or office who is to receive the contractor’s payment request or invoices.¹⁷ Every local government entity must establish procedures so that every payment request or invoice received by the local government entity is marked as received on the date on which it is delivered to an agent or employee of the local government entity, or a facility or office of the local governmental entity.¹⁸

When a contractor submits a payment request or invoice, the local government entity must make the payment within:¹⁹

- 25 business days after the date on which the payment request or invoice is stamped, if an agent must approve the invoice before it is submitted to the entity for payment; or
- 20 business days after the date the payment request or invoice is stamped, if an agent is not required to approve the invoice.

[Change Order](#)

A “change order” is an amendment to a construction contract that changes the contractor’s scope of work. Most change orders modify the work required by the contract or adjust the amount of time the contractor has to complete the work, or both.²⁰

¹⁰ *D’Agastino v. City of Miami*, 220 So. 3d 410 (Fla. 2017); Judge James R. Wolf and Sarah Harley Bolinder, [The Effectiveness of Home Rule: A Preemptions and Conflict Analysis](#), 83 Fla. B.J. 92 (June 2009).

¹¹ See, e.g., *Nat’l Rifle Ass’n of Am., Inc. v. City of S. Miami*, 812 So. 2d 504 (Fla. 3d DCA 2002).

¹² S. [218.71, F.S.](#)

¹³ S. [218.72\(5\), F.S.](#)

¹⁴ “Construction services” is defined as all labor, services, and materials provided in connection with the construction, alteration, repair, demolition, reconstruction, or other improvements to real property. S. [218.72\(2\), F.S.](#)

¹⁵ “Contractor” means the person who contracts directly with a local government entity to provide construction services.” S. [218.72\(3\), F.S.](#)

¹⁶ “Agent” means the project architect, project engineer, or other agency or person acting on behalf of the local governmental entity. S. [218.72\(1\), F.S.](#)

¹⁷ S. [218.735\(1\), F.S.](#)

¹⁸ S. [218.74\(1\), F.S.](#)

¹⁹ S. [218.735\(1\), F.S.](#)

²⁰ Luke J. Farley, Sr., *Construction 101: The Basics of Change Orders*, American Bar Association (October 8, 2018) https://www.americanbar.org/groups/construction_industry/publications/under_construction/2018/fall/construction-101/ (last visited March 8, 2025).

[Public Works Projects](#)

A “public works project” is an activity that is paid for with any local or state-appropriated funds and that consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof owned in whole or in part by any political subdivision.²¹

The term does not include the provision of goods, services, or work incidental to the public works project, such as the provision of security services, janitorial services, landscaping services, maintenance services, transportation services, or other services that do not require a construction contracting license or involve supplying or carrying construction materials for a public works project.²²

A “[political subdivision](#)” is a separate agency or unit of local government created or established by law or ordinance and the officers thereof.²³ This includes, but is not limited to, a county a city, town, or other municipality; or a department, commission, authority, school district, taxing district, water management district, board, public corporation, institution of higher education, or other public agency or body thereof authorized to expend public funds for construction, maintenance, repair, or improvement of public works.²⁴

Except as required by federal or state law, the state or any political subdivision that contracts for a public works project **may not**:²⁵

- Prevent a licensed contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on the geographic location of the company headquarters or offices of the contractor, subcontractor, or material supplier or carrier submitting a bid on a public works project or the residences of employees of such contractor, subcontractor, or material supplier or carrier;
- Require a contractor, subcontractor, or material supplier or carrier engaged in the project to:
 - Pay employees a predetermined amount of wages or prescribe any wage rate;
 - Provide employees a specified type, amount, or rate of employee benefits;
 - Control, limit, or expand staffing; or
 - Recruit, train, or hire employees from a designated, restricted, or single source.
- Prohibit any contractor, subcontractor, or material supplier or carrier from receiving information about public works opportunities or submitting a bid on the project if such individual is able to perform the work described and is qualified and licensed as required by state law, unless that vendor has been placed on the state’s convicted vendor or discriminatory vendor lists.

[Specialty Electrical Contractors](#)

Statewide electrical, alarm system, and specialty contractors are regulated by of ch. 489, part II, F.S., and licensed and regulated by the Electrical Contractors' Licensing Board within the Department of Business and Professional Regulation (DBPR).²⁶ An electrical contractor engages in business as a contractor or performs electrical or alarm work for compensation.²⁷

Alarm system contractors may lay out, fabricate, install, maintain, alter, repair, monitor, inspect, replace, or service burglary, fire, robbery, or medical emergency alarm systems.²⁸ An alarm system contractor may be certified by DBPR.²⁹ This certification is limited to alarm circuits originating in the alarm control panel and equipment governed by the applicable provisions of the National Electrical Code, Current Edition, and National Fire Protection

²¹ S. [255.0992\(1\), F.S.](#)

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ S. [255.0992\(2\), F.S.](#)

²⁶ S. [489.507, F.S.](#)

²⁷ S. [489.505\(9\), F.S.](#)

²⁸ S. [489.505\(1\)-\(2\), F.S.](#)

²⁹ S. [489.505\(7\), F.S.](#)

Association Standard 72, Current Edition. The certification includes the installation, repair, fabrication, erection, alteration, addition, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, or any part thereof not to exceed 98 volts (RMS), when those items are for the purpose of transmitting data or proprietary video, providing central vacuum capability or electric locks.

[Florida Building Code](#)

Florida first adopted a state minimum building code in 1974 that required all local governments to adopt and enforce one of four model codes that established minimum building standards for health and life safety of the general public. Under that system, the enforcement and amendment of the adopted codes was left to the local governments.³⁰

Following Hurricane Andrew in 1992, the state realized the apparent need to modernize and unify the local building codes into a single state building code, with an enhanced oversight role of the state government. The 2000 Legislature authorized the implementation of the Florida Building Code and the first edition replaced all local codes on March 1, 2002.³¹ The current edition of the Florida Building Code is the eighth edition, which is referred to as the 2023 Florida Building Code.³² The Florida Building Code must be updated at least every three years.³³

The Florida Building Code provides a mechanism for adopting, updating, amending, interpreting, and enforcing a unified state building code from jurisdiction to jurisdiction.³⁴ The Florida Building Code contains or incorporates by reference all laws and rules, and enforces such laws and rules, which pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities.³⁵

Under current law, the following buildings, structures, and facilities are exempt from various portions of the Florida Building Code under specified conditions:

- Buildings and structures specifically regulated and preempted by the Federal Government.
- Railroads and ancillary facilities associated with the railroad.
- Nonresidential farm buildings on farms.
- Temporary buildings or sheds used exclusively for construction purposes.
- Mobile or modular structures used as temporary offices.
- Structures or facilities of electric utilities, directly involved in the generation, transmission, or distribution of electricity.
- Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- Storage sheds that are not designed for human habitation and that have a floor area of 720 square feet, and buildings that are 400 square feet or less and that are intended for use in conjunction with one- and two-family residences.
- Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida.
- Family mausoleums not exceeding 250 square feet.
- A building or structure having less than 1,000 square feet which is constructed and owned by a natural person for hunting.
- A drone port.³⁶

³⁰ Florida Dept. of Commerce, *The Florida Building Commission Report to the 2006 Legislature*, p. 4, https://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited Apr. 1, 2025).

³¹ *Id.*

³² DBPR, *Florida Building Code*, https://floridabuilding.org/bc/bc_default.aspx (last visited Apr. 1, 2025).

³³ S. [553.73\(7\)\(a\), F.S.](#)

³⁴ S. [553.72\(1\), F.S.](#)

³⁵ S. [553.73\(1\)\(a\), F.S.](#)

³⁶ S. [553.73\(10\), F.S.](#)

For certain of these categories, the Florida Building Commission, in order to preserve the health, safety, and welfare of the public, may adopt rules to provide exceptions to the broad categories of buildings exempted from the Code.³⁷

[Building Permits](#)

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public's health, safety, and welfare.³⁸ Every local government must enforce the Florida Building Code and issue building permits.³⁹

A building permit is an official document or certificate issued by the local building official that authorizes performance of a specific activity.⁴⁰ It is unlawful for a person, firm, or corporation to construct, erect, alter, repair, secure, or demolish any building without first obtaining a building permit from the local enforcement agency or from such persons as may, by resolution or regulation, be directed to issue such permit.⁴¹

A local enforcement agency may not require a contract between an owner and a contractor as a condition to apply for or obtain a building permit for construction work. If the permit is for work on a commercial property then a local enforcement agency may not require a contract between the contractor and their subcontractors or material suppliers.⁴²

³⁷ *Id.*

³⁸ S. [553.72, F.S.](#)

³⁹ Ss. [125.01\(1\)\(bb\)](#), [125.56\(1\)](#), and [553.80\(1\)](#), F.S.

⁴⁰ S. [468.603, F.S.](#); [S. 202 of the Eighth edition of the Florida Building Code \(Building\)](#).

⁴¹ Ss. [125.56\(4\)\(a\)](#) and [553.79\(1\)](#), F.S.

⁴² S. [553.79\(1\)\(f\)](#), and [713.135\(6\)](#), F.S.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee	16 Y, 1 N, As CS	3/12/2025	Anstead	Brackett
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Clarified the language that local governments may not require building applicants to submit ancillary documentation between an owner and builder in order to receive a permit by replacing it with the language that local governments may not require building applicants to submit copies of contracts between builders and owners or associated documents, including material cost lists, labor costs, or overhead or profit statements, in order to receive a building permit. 			
Intergovernmental Affairs Subcommittee	15 Y, 0 N, As CS	4/1/2025	Darden	Burgess
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Required DEP to adopt standards for synthetic turf before a preemption of local government regulations takes effect. Modified the scope of certification for certified alarm system contractors. Required the Florida Building Commission to amend the Florida Building Code to recognize tall mass timber as an allowable material in certain circumstances. Exempts certain systems and equipment related to space launch vehicles, payloads, and spacecraft from the Florida Building Code. 			
Commerce Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
