

HB 1049

2026

A bill to be entitled
An act relating to building permit requirements; amending s. 553.73, F.S.; prohibiting a local government from adopting certain technical amendments to the Florida Building Code; amending s. 553.79, F.S.; prohibiting a local government from requiring a building permit for work valued at a specified amount that is performed on a single-family dwelling; authorizing a local government to require a building permit for certain work regardless of the value of the work; requiring a contractor to maintain certain written records; creating s. 553.796, F.S.; defining the term "backup power system"; prohibiting a local enforcement agency from requiring a building permit for specified work on a backup power system that is installed by certain persons or entities; providing an exception; prohibiting local governments from adopting or enforcing certain ordinances, rules, or other measures; authorizing a local enforcement agency to conduct certain inspections, either in person or virtually; authorizing an owner or the owner's contractor to use a private provider for certain inspections; providing requirements for a private provider; requiring a local enforcement agency to provide certain persons a written notice of correction

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26 under certain circumstances; authorizing a stop-work
27 order only under specific circumstances; requiring a
28 local enforcement agency to offer an owner or the
29 owner's contractor a reinspection date within a
30 certain time period; providing that a private provider
31 inspection report constitutes acceptance under certain
32 circumstances; prohibiting a local enforcement agency
33 from withholding or revoking a certificate of
34 occupancy based solely on a failed inspection report;
35 providing construction; providing an effective date.
36

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

38

39 **Section 1. Paragraph (1) of subsection (4) of section
40 553.73, Florida Statutes, is redesignated as paragraph (m), and
41 a new paragraph (1) is added to that subsection, to read:**

42 553.73 Florida Building Code.—

43 (4)

44 (1) A local government may not adopt a technical amendment
45 to the Florida Building Code that requires a building permit, or
46 any local review or approval process that is functionally
47 equivalent to the permitting process, for a backup power system
48 that is exempt under s. 553.796.

49 **Section 2. Paragraph (g) is added to subsection (1) of
50 section 553.79, Florida Statutes, to read:**

51 553.79 Permits; applications; issuance; inspections.—

52 (1)

53 (g)1. A local government that issues building permits may
54 not require an owner of a single-family dwelling or the owner's
55 contractor to obtain a building permit to perform any work on
56 the single-family dwelling lot which is valued at less than
57 \$7,500.

58 2. A local government may require a building permit for
59 any electrical, plumbing, or structural work, excluding the
60 repair or replacement of exterior doors or windows, that is
61 performed on a single-family dwelling lot regardless of the
62 value of the work.

63 3. A contractor who performs work that does not require a
64 permit under subparagraph 1. must keep a written record of the
65 work performed, the property address at which the work was
66 performed, and the value of such work.

67 **Section 3. Section 553.796, Florida Statutes, is created**
68 **to read:**

69 553.796 Building permit exemption for backup power
70 systems.—

71 (1) As used in this section, the term "backup power
72 system" means equipment and associated components installed at
73 or serving a one-family or two-family dwelling or townhouse for
74 the purpose of providing on-site electrical power during utility
75 outages, load management, resiliency, or other similar purposes,

76 and which is capable of providing no more than 50 kilowatts of
77 output to the dwelling or townhouse or, if the system includes
78 energy storage, has an aggregate storage capacity of no more
79 than 100 kilowatt hours.

80 (2) A local enforcement agency may not require a building
81 permit, or any local review or approval process that is
82 functionally equivalent to the permitting process, for the
83 design, installation, relocation, replacement, or repair of a
84 backup power system that is installed by a contractor licensed
85 under chapter 489 or a public utility that is exempt from
86 licensure under s. 489.503(4).

87 (3) The installation of a backup power system performed by
88 an owner and not a contractor licensed under chapter 489 is not
89 eligible for the permit exemption under this section and the
90 owner must proceed under otherwise applicable permitting
91 requirements. This section does not authorize unlicensed
92 contracting.

93 (4) Notwithstanding chapters 125 and 166 or any other law,
94 a county, municipality, or special district may not adopt or
95 enforce an ordinance, a rule, or any other measure, beyond
96 enforcing the standards contained in the Florida Building Code
97 and the Florida Fire Prevention Code, that regulates the
98 installation, relocation, replacement, or repair of backup power
99 systems.

100 (5) (a) A local enforcement agency may conduct inspections,

101 in person or virtually, of a backup power system to verify
102 compliance with the Florida Building Code and the Florida Fire
103 Prevention Code. An inspection under this subsection may not be
104 conditioned on an owner or the owner's contractor obtaining a
105 building permit, or any local review or approval process that is
106 functionally equivalent to the permitting process, and may not
107 include a plans review.

108 (b) An owner or the owner's contractor may choose to have
109 the inspections of a backup power system performed by a private
110 provider in accordance with s. 553.791. A private provider must
111 adhere to the timelines for emergency inspections and submittal
112 requirements of inspection reports. The procedures in s.
113 553.791(13) apply to inspections under this section performed by
114 a private provider.

115 (6) If a local enforcement agency finds that an owner or
116 the owner's contractor has not complied with this section, the
117 local enforcement agency must provide to such person a written
118 notice of correction that cites the specific code sections out
119 of compliance and the required remedy to correct such
120 noncompliance. The local enforcement agency may issue a stop-
121 work order only to address an immediate danger to life or safety
122 and only for the affected portion of the work being performed.
123 Upon request by the owner or the owner's contractor after the
124 noncompliance has been corrected, the local enforcement agency
125 must offer a reinspection date within 2 business days after such

126 request or on the next day inspections are being conducted,
127 whichever is earlier. If a reinspection does not occur within
128 the required timeframe, a private provider inspection report
129 completed pursuant to s. 553.791 constitutes acceptance on the
130 part of the local enforcement agency.

131 (7) A failed inspection report of a backup power system
132 installed at or serving an existing and occupied one-family or
133 two-family dwelling or townhouse may not be the sole basis for a
134 local enforcement agency to withhold or revoke a certificate of
135 occupancy for the dwelling or townhouse. Instead, the local
136 enforcement agency shall withhold authorization to energize the
137 backup power system until any corrections are performed and
138 verified.

139 **Section 4.** This act does not alter or abridge the
140 jurisdiction of the Public Service Commission under chapter 366,
141 Florida Statutes, the exemptions for utilities and cooperatives
142 under s. 366.11, Florida Statutes, or the requirements of rule
143 25-6.065, Florida Administrative Code, relating to
144 interconnection and net metering. This act does not affect any
145 tariff, service policy, or interconnection requirements of a
146 utility or cooperative.

147 **Section 5.** This act shall take effect July 1, 2026.