

1                   A bill to be entitled  
2     An act relating to building permit requirements;  
3     amending s. 553.73, F.S.; prohibiting a local  
4     government from adopting certain technical amendments  
5     to the Florida Building Code; amending s. 553.79,  
6     F.S.; prohibiting a local government from requiring a  
7     building permit for work valued at a specified amount  
8     that is performed on a single-family dwelling;  
9     authorizing a local government to require a building  
10    permit for certain work regardless of the value of the  
11    work; requiring a contractor to maintain certain  
12    written records; creating s. 553.796, F.S.; defining  
13    the term "backup power system"; prohibiting a local  
14    enforcement agency from requiring a building permit  
15    for specified work on a backup power system that is  
16    installed by certain persons or entities; providing an  
17    exception; prohibiting local governments from adopting  
18    or enforcing certain ordinances, rules, or other  
19    measures; authorizing a local enforcement agency to  
20    conduct certain inspections, either in person or  
21    virtually; authorizing an owner or the owner's  
22    contractor to use a private provider for certain  
23    inspections; providing requirements for a private  
24    provider; requiring a local enforcement agency to  
25    provide certain persons a written notice of correction

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

42 553.73 Florida Building Code.—

43 (4)

44 (l) 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

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

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

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

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