

CS/HB 1049

2026

A bill to be entitled
An act relating to building permit requirements; amending s. 553.382, F.S.; providing that certain residential manufactured buildings may not be denied a building permit for the placement of such building; 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 enforcement agency from requiring a building permit for work valued at a specified amount that is performed on a parcel containing a single-family residential dwelling; prohibiting a construction project from being divided into multiple projects to evade certain requirements; providing applicability; 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 for a specified time period; 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; requiring local enforcement agencies to establish a specified process; requiring licensed contractors to

26 submit a notice of commencement before the
27 installation of a backup power system; providing an
28 exception; prohibiting local governments from adopting
29 or enforcing certain ordinances, rules, or other
30 measures; authorizing a local enforcement agency to
31 conduct an inspection, either in person or virtually;
32 prohibiting local enforcement agencies from requiring
33 more than one inspection except under certain
34 circumstances; authorizing an owner or the owner's
35 contractor to use a private provider for certain
36 inspections; requiring a local enforcement agency to
37 provide certain persons a written notice of correction
38 under certain circumstances; authorizing a stop-work
39 order only under specific circumstances; requiring a
40 local enforcement agency to offer an owner or the
41 owner's contractor a reinspection date within a
42 certain time period; providing that a private provider
43 inspection report constitutes acceptance under certain
44 circumstances; prohibiting a local enforcement agency
45 from withholding or revoking a certificate of
46 occupancy based solely on a failed inspection report;
47 providing construction; providing an effective date.
48

49 Be It Enacted by the Legislature of the State of Florida:
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51 **Section 1. Section 553.382, Florida Statutes, is amended**
52 **to read:**

53 553.382 Placement of certain housing.—Notwithstanding any
54 other law or ordinance to the contrary, in order to expand the
55 availability of affordable housing in this state, any
56 residential manufactured building that is certified under this
57 chapter by the department may not be denied a building permit
58 for placement be placed on a mobile home lot in a mobile home
59 park, on any lot in a recreational vehicle park, or in a mobile
60 home condominium, cooperative, or subdivision. Any such housing
61 unit placed on a mobile home lot is a mobile home for purposes
62 of chapter 723 and, therefore, all rights, obligations, and
63 duties under chapter 723 apply, including the specifics of the
64 prospectus. However, a housing unit subject to this section may
65 not be placed on a mobile home lot without the prior written
66 approval of the park owner. Each housing unit located on a
67 mobile home lot and subject to this section shall be taxed as a
68 mobile home under s. 320.08(11) and is subject to payments to
69 the Florida Mobile Home Relocation Fund under s. 723.06116.

70 **Section 2. Paragraph (1) of subsection (4) of section**
71 **553.73, Florida Statutes, is redesignated as paragraph (m), and**
72 **a new paragraph (1) is added to that subsection, to read:**

73 553.73 Florida Building Code.—

74 (4)

75 (1) A local government may not adopt a technical amendment

76 to the Florida Building Code that requires a building permit, or
77 any local review or approval process that is functionally
78 equivalent to the permitting process, for a backup power system
79 that is exempt under s. 553.796.

80 **Section 3. Paragraph (g) is added to subsection (1) of**
81 **section 553.79, Florida Statutes, to read:**

82 553.79 Permits; applications; issuance; inspections.—

83 (1)

84 (g)1. A local enforcement agency may not require a
85 building permit for any work valued at less than \$7,500 that is
86 performed on a parcel containing a single-family residential
87 dwelling. A construction project may not be divided into more
88 than one project for the purpose of evading the requirements in
89 this section. The exemption in this subparagraph does not apply
90 to construction, repair, remodeling, or improvement projects
91 that are part of a larger or major project, whether undertaken
92 by the same or a different contractor, or in which a division of
93 the operation is made in contracts of amounts less than \$7,500
94 for the purpose of evading this part or otherwise.

95 2. A local enforcement agency may require a building
96 permit for any electrical, plumbing, structural, mechanical, or
97 gas work, excluding the repair or replacement of exterior doors
98 or windows, that is performed on a single-family dwelling
99 parcel, regardless of the value of the work.

100 3. A contractor who performs work that does not require a

101 permit under subparagraph 1. must keep for at least 5 years a
102 written record of the work performed, the property address at
103 which the work was performed, and the value of such work.

104 **Section 4. Section 553.796, Florida Statutes, is created**
105 **to read:**

106 553.796 Building permit exemption for backup power
107 systems.—

108 (1) As used in this section, the term "backup power
109 system" means equipment and associated components installed at
110 or serving a one-family or two-family dwelling or townhouse for
111 the purpose of providing on-site electrical power during utility
112 outages, load management, resiliency, or other similar purposes,
113 and which is capable of providing no more than 50 kilowatts of
114 output to the dwelling or townhouse or, if the system includes
115 energy storage, has an aggregate storage capacity of no more
116 than 100 kilowatt hours.

117 (2) A local enforcement agency may not require a building
118 permit, or any local review or approval process that is
119 functionally equivalent to the permitting process, for the
120 design, installation, relocation, replacement, or repair of a
121 backup power system that is installed by a contractor licensed
122 under chapter 489 or a public utility that is exempt from
123 licensure under s. 489.503(4). A local enforcement agency must
124 establish a process for licensed contractors to submit to the
125 local enforcement agency a notice of commencement instead of a

126 permit application before the installation of a backup power
127 system. The licensed contractor performing the installation must
128 submit such notice of commencement to the local enforcement
129 agency before the installation of a backup power system.

130 (3) The installation of a backup power system performed by
131 an owner and not a contractor licensed under chapter 489 is not
132 eligible for the permit exemption under this section and the
133 owner must proceed under otherwise applicable permitting
134 requirements. This section does not authorize unlicensed
135 contracting.

136 (4) Notwithstanding chapters 125 and 166 or any other law,
137 a county, municipality, or special district may not adopt or
138 enforce an ordinance, a rule, or any other measure, beyond
139 enforcing the standards contained in the Florida Building Code
140 and the Florida Fire Prevention Code, that regulates the
141 installation, relocation, replacement, or repair of backup power
142 systems.

143 (5) (a) A local enforcement agency may conduct an
144 inspection, in person or virtually, of a backup power system to
145 verify compliance with the Florida Building Code and the Florida
146 Fire Prevention Code. An inspection under this subsection may
147 not be conditioned on an owner or the owner's contractor
148 obtaining a building permit, or any local review or approval
149 process that is functionally equivalent to the permitting
150 process, and may not include a plans review. A local enforcement

151 agency may not require more than one inspection of a backup
152 power system except in the case of noncompliance as provided in
153 subsection (6).

154 (b) An owner or the owner's contractor may choose to have
155 the inspection of a backup power system performed by a private
156 provider in accordance with s. 553.791. A private provider must
157 adhere to the timelines for emergency inspections and submittal
158 requirements of inspection reports. The procedures in s.
159 553.791(13) apply to inspections under this section performed by
160 a private provider.

161 (6) If a local enforcement agency finds that an owner or
162 the owner's contractor has not complied with this section, the
163 local enforcement agency must provide to such person a written
164 notice of correction that cites the specific code sections out
165 of compliance and the required remedy to correct such
166 noncompliance. The local enforcement agency may issue a stop-
167 work order only to address an immediate danger to life or safety
168 and only for the affected portion of the work being performed.
169 Upon request by the owner or the owner's contractor after the
170 noncompliance has been corrected, the local enforcement agency
171 must offer a reinspection date within 2 business days after such
172 request or on the next day inspections are being conducted,
173 whichever is earlier. If a reinspection does not occur within
174 the required timeframe, a private provider inspection report
175 completed pursuant to s. 553.791 constitutes acceptance on the

176 part of the local enforcement agency.

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

185 **Section 5.** This act does not alter or abridge the
186 jurisdiction of the Public Service Commission under chapter 366,
187 Florida Statutes, the exemptions for utilities and cooperatives
188 under s. 366.11, Florida Statutes, or the requirements of rule
189 25-6.065, Florida Administrative Code, relating to
190 interconnection and net metering. This act does not affect any
191 tariff, service policy, or interconnection requirements of a
192 utility or cooperative.

193 **Section 6.** This act shall take effect July 1, 2026.