

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 1169](#)

**TITLE:** Enforcement of the Florida Building Code

**SPONSOR(S):** Tramont

**COMPANION BILL:** [CS/SB 1614](#) (Leek)

**LINKED BILLS:** None

**RELATED BILLS:** None

## Committee References

[Intergovernmental Affairs](#)

14 Y, 1 N, As CS



[Industries & Professional  
Activities](#)



[State Affairs](#)

## SUMMARY

### **Effect of the Bill:**

The bill provides that a local government is not eligible to receive state funds through a local funding initiative request if:

- It has been subject to a legislative committee's audit concerning the use of excess funds for enforcing the Florida Building Code within one year after the local government's request; or
- It does not submit an affirmation stating that it is no longer the subject of such state audit.

### **Fiscal or Economic Impact:**

None

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill provides that a local government is not eligible to receive state funds through a [local funding initiative request](#) if:

- Within one year after the local government's request, it has been subject to a legislative committee's audit concerning the use of excess funds from [enforcing](#) the [Florida Building Code](#); or
- It does not submit an affirmation in its local funding initiative request to its [legislative delegation](#) stating that it is no longer the subject of such state audit. (Section [1](#))

The bill removes the ability of a local government to use excess funds from enforcing the Building Code to pay for the construction of a building that houses the local government's building code enforcement agency. (Section [1](#))

The bill provides that each appropriate legislative committee must report all local governments that are ineligible for additional state funding to the presiding officers and chairs of the legislative appropriations committees. (Section [1](#))

The bill provides an effective date of July 1, 2026. (Section [2](#))

## RELEVANT INFORMATION

### **SUBJECT OVERVIEW:**

#### **[The Florida Building Code](#)**

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act." The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state

**STORAGE NAME:** h1169a.IAS

**DATE:** 2/12/2026

building code.<sup>1</sup> 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.<sup>2</sup>

To accomplish this, every jurisdiction must apply, administer, and enforce the Florida Building Code uniformly and consistently.<sup>3</sup> The Building Code is based on the International Building Code and has additional amendments and supplements to address issues specific to Florida.<sup>4</sup> Anyone who intends to construct, enlarge, alter, repair, move, or demolish a building, including electrical, gas, mechanical or plumbing systems, must first obtain the applicable permit required by the Building Code.<sup>5</sup>

The Florida Building Commission (Commission) implements the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation, is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The Commission updates and adopts a new edition of the Building Code every three years.<sup>6</sup> The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Building Code.<sup>7</sup>

### Local Government Enforcement of the Florida Building Code

Current law permits local governing bodies to provide a schedule of reasonable fees in order to enforce the Code.<sup>8</sup> The phrase "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, re-inspections, and building permit processing; building code enforcement; and fire inspections associated with new construction.<sup>9</sup> The phrase also includes training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity.

Such fees, fines, or investment earnings related to the fees may only be used for carrying out the local government's responsibilities in enforcing the building code, including any process or enforcement related to obtaining a building permit.<sup>10</sup> When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees may not exceed the total annual costs of allowable activities. Any unexpected balances must either be carried forward to future years for allowable activities or refunded at the discretion of the local government.

A local government may not carry forward an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous four fiscal years.<sup>11</sup> Any amount exceeding this limit must be used to:<sup>12</sup>

- Rebate and reduce fees;
- Upgrade technology hardware and software systems to enhance service delivery;
- Construct a building that houses a local government's building code enforcement agency;<sup>13</sup> or
- Train building officials, inspectors, or plans examiners associated with the Florida Building Code.<sup>14</sup>

<sup>1</sup> [S. 553.72\(1\), F.S.](#)

<sup>2</sup> [S. 553.72\(2\), F.S.](#)

<sup>3</sup> [S. 553.72\(1\), F.S.](#)

<sup>4</sup> Department of Business and Professional Regulation, [Building Codes and Standards – FAQs](#) (last visited Feb. 9, 2026).

<sup>5</sup> *Id.*

<sup>6</sup> Ss. [553.73\(7\)](#), and [553.74, F.S.](#)

<sup>7</sup> ICC Digital Codes, [2023 Florida Building Code, Building, Eighth Edition](#) (last visited Feb. 9, 2026).

<sup>8</sup> [S. 553.80\(7\)\(a\), F.S.](#)

<sup>9</sup> [S. 553.80\(7\)\(a\)1., F.S.](#)

<sup>10</sup> [S. 553.80\(7\)\(a\), F.S.](#)

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> [S. 553.80\(7\)\(a\)2., F.S.](#) Excess funds used to construct such a building or structure must be designated for such purpose by the local government and may not be carried forward for more than four consecutive years.

<sup>14</sup> *Id.*

## Legislative Appropriations Projects

The Joint Rules of the Florida Legislature provide for legislative appropriations projects.<sup>15</sup> An appropriations project is a specific appropriation, proviso, or item on a conference committee spreadsheet agreed to by House and Senate conferees providing funding for specified purposes.<sup>16</sup> One such purpose of an appropriations project is to provide funding to a local government, private entity, or privately operated program.<sup>17</sup> Funding requests are submitted by a member of the Legislature and must include the title of the project, the total cost of the project, and if the project requires funding over multiple years.<sup>18</sup> Before an appropriations project may be included in the House General Appropriations Act, an appropriations project request form and an attestation form must be completed, electronically submitted, and published online in the manner and by the dates prescribed by the Speaker of the House of Representatives.<sup>19</sup>

Generally, an appropriations project is any appropriation or proviso to a specifically named:

- Local government, private entity, or privately operated program, or an appropriation or proviso which is written in such a manner as to exclusively describe a particular local government, private entity, or privately operated program;
- Transportation facility that is not in the Department of Transportation's Five Year Work Program submitted pursuant to [s. 339.135, F.S.](#);
- Education fixed capital outlay project;
- Program, research initiative, institute, center, or similar entity at a specific state college or state university, that was not recommended by the Board of Governors or the State Board of Education in their Legislative Budget Request; or
- Local water project.<sup>20</sup>

The term "appropriations project" does not include an appropriation that:

- Is specifically authorized by published statute;
- Is part of a statewide distribution to local governments; or
- Was recommended by a commission, council, or other similar entity created in statute to make annual funding recommendations, not to exceed the amount recommended by the entity.<sup>21</sup>

## Local Legislative Delegations

A county legislative delegation consists of all members of the Senate and House of Representatives that represent the county.<sup>22</sup> The county legislative delegation is responsible for initial consideration of proposed local bills and listening to appropriation requests from members of the community.<sup>23</sup>

Current law requires relevant county legislative delegations to be informed of certain activities and receive certain reports, including:

- A semi-annual report by the Biscayne Bay Commission;<sup>24</sup>
- A biennial audit report of the indigent care and trauma center surtax trust fund, for counties that levy that sales surtax;<sup>25</sup> and

<sup>15</sup> [Joint Rules 2.2 and 2.3.](#)

<sup>16</sup> [Joint Rule 2.2\(4\)\(a\).](#)

<sup>17</sup> *Id.*

<sup>18</sup> See Florida House of Representatives, [Appropriations Project Request FY 26-27](#) (last visited Feb. 9, 2026).

<sup>19</sup> [House Rule 5.14\(b\).](#)

<sup>20</sup> Florida House of Representatives, [Appropriations Projects](#) (last visited Feb. 9, 2026).

<sup>21</sup> *Id.*

<sup>22</sup> See *e.g.*, Palm Beach County, [Legislative Delegation Office](#) (last visited Feb. 9, 2026).

<sup>23</sup> See *id.* See also Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 5 (last visited Feb. 9, 2026).

<sup>24</sup> S. [163.11\(7\), F.S.](#)

<sup>25</sup> S. [212.055\(4\)\(a\)4.d., F.S.](#)

- Notification by the Division of State Lands within the Department of Environmental Protection if state-owned lands within the county are subject to annexation procedures.<sup>26</sup>

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Intergovernmental Affairs Subcommittee</a>	14 Y, 1 N, As CS	2/12/2026	Darden	Hilliard
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Repealed provision allowing a local government to use excess funds from enforcing the Building Code to pay for the construction of a building that houses the local government’s building code enforcement agency.</li> <li>• Clarified when a local government is not eligible to receive state funds due to a legislative committee's audit and revised reporting requirements.</li> </ul>			
<a href="#">Industries &amp; Professional Activities Subcommittee</a>				
<a href="#">State Affairs Committee</a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>26</sup> S. 253.034(7)(b), F.S.