

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/CS/HB 1169](#)

TITLE: Enforcement of the Florida Building Code

SPONSOR(S): Tramont

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

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Intergovernmental Affairs](#)

14 Y, 1 N, As CS



[State Affairs](#)

26 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill prohibits local governments from using excess funds from enforcing the Florida Building Code to pay for the construction of a building that houses the local government's building code enforcement agency.

Fiscal or Economic Impact:

None.

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ANALYSIS

EFFECT OF THE BILL:

The bill removes the ability of a local government to use excess funds from [enforcing](#) the [Florida 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 an effective date of July 1, 2026. (Section [2](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

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 building code.¹ 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.²

To accomplish this, every jurisdiction must apply, administer, and enforce the Florida Building Code uniformly and consistently.³ The Building Code is based on the International Building Code and has additional amendments and supplements to address issues specific to Florida.⁴ 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.⁵

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

¹ [S. 553.72\(1\), F.S.](#)

² [S. 553.72\(2\), F.S.](#)

³ [S. 553.72\(1\), F.S.](#)

⁴ Department of Business and Professional Regulation, [Building Codes and Standards – FAQs](#) (last visited Feb. 18, 2026).

⁵ *Id.*

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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.⁶ The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Building Code.⁷

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.⁸ 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.⁹ 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.¹⁰ 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.¹¹ Any amount exceeding this limit must be used to:¹²

- 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;¹³ or
- Train building officials, inspectors, or plans examiners associated with the Florida Building Code.¹⁴

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

⁷ ICC Digital Codes, [2023 Florida Building Code, Building, Eighth Edition](#) (last visited Feb. 18, 2026).

⁸ [S. 553.80\(7\)\(a\)](#), F.S.

⁹ [S. 553.80\(7\)\(a\)1](#), F.S.

¹⁰ [S. 553.80\(7\)\(a\)](#), F.S.

¹¹ *Id.*

¹² *Id.*

¹³ [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.

¹⁴ *Id.*

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	14 Y, 1 N, As CS	2/12/2026	Darden	Hilliard
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Repealed the 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. • Clarified when a local government is not eligible to receive state funds due to a legislative committee's audit and revised reporting requirements. 			
State Affairs Committee	26 Y, 0 N, As CS	2/26/2026	Williamson	Hilliard
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Removed the provision providing that a local government is not eligible to receive state funds through a local funding initiative request if it has been subject to an audit directed by a legislative auditing committee within one year after the local government's request. 			

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