

By the Committee on Regulated Industries; and Senator DiCeglie

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30 is to be included in such notice; providing that a
31 local government has no legal duty to the owner, the
32 contractor, or their successors or assigns for
33 specified work performed; amending s. 553.791, F.S.;
34 revising definitions; requiring all permit
35 applications be able to be submitted electronically;
36 requiring certain services to be subject to an
37 agreement, rather than a written contract; providing
38 that such agreement is not required to be submitted as
39 part of a permit application; prohibiting a local
40 building official or local government entity from
41 requesting such agreement or consent form as a
42 condition for issuing a permit; specifying
43 requirements for reduced permit fees; prohibiting a
44 local jurisdiction from charging certain
45 administrative fees or other additional fees;
46 prohibiting local governmental entities and local
47 building officials from requiring additional forms in
48 certain circumstances; providing an exception;
49 prohibiting local governmental entities and local
50 building officials from altering a form adopted by the
51 commission; deleting a requirement that a private
52 provider's qualification statements or resumes be
53 included in a certain notice; deleting time
54 restrictions for electing to use a private provider;
55 requiring that a certain affidavit have the ability to
56 be submitted electronically; specifying which forms
57 and documents a local building official may not
58 review; providing that a local building official may

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59 review certain forms and documents for completeness
60 only; requiring that written notice of incomplete
61 forms be given to an applicant within a specified
62 timeframe; requiring the written notice to state with
63 specificity which forms or documents are incomplete;
64 deleting a requirement that the local building
65 official issue the requested permit or provide a
66 written notice to the permit applicant with specific
67 information within a specified timeframe; making
68 technical changes; providing that certain permits are
69 deemed approved and a local building official is
70 required to issue the permit within a specified
71 timeframe; specifying requirements for a private
72 provider's duly authorized representatives; deleting
73 provisions requiring a private provider to provide
74 notice to the local building official to perform
75 inspections; prohibiting the local jurisdiction from
76 charging any fees related to the reinspection or any
77 administrative matter related to the reinspection;
78 providing that local building officials are not
79 responsible for the administration or supervision of
80 services performed by a private provider; providing
81 that the responsibility to verify licensure and
82 insurance requirements for a private provider firm's
83 duly authorized representative is the private
84 provider's management firm; prohibiting a local
85 building official from verifying compliance or storing
86 information relating to such verification; prohibiting
87 local building officials from failing certain

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88 inspections under certain circumstances; revising the
89 timeframe in which certain records must be provided;
90 authorizing certain persons to sign certificates of
91 compliance; authorizing a local building official to
92 perform certain building inspections only if the local
93 building official has actual knowledge that a private
94 provider did not perform a required inspection;
95 specifying requirements for local building officials
96 under such circumstances; providing that a local
97 building official may review certain forms and
98 documents for completeness only; revising the
99 timeframe in which a local building official must
100 provide the applicant with the written certificate of
101 occupancy or certificate of completion after it is
102 automatically granted and issued; authorizing certain
103 entities to establish a registration system;
104 prohibiting a local building official from charging
105 certain administrative fees; conforming a provision to
106 changes made by the act; providing that certain
107 virtual inspections may not be prohibited or limited;
108 requiring the Department of Business and Professional
109 Regulation to maintain a statewide registry of
110 licensed persons and business organizations qualified
111 to act as private providers; requiring a local
112 enforcement agency to use the statewide registry to
113 verify certain information; providing that a private
114 provider's registration in the department's registry
115 is deemed sufficient to satisfy any local registration
116 requirements; prohibiting a local enforcement agency

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117 from requiring a private provider to submit a separate
118 local registration or pay a registration fee for any
119 project in its jurisdiction if the private provider is
120 currently active in the statewide registry; requiring
121 certain notice before an audit; prohibiting certain
122 entities from discouraging the use of private
123 providers; revising a provision authorizing a county,
124 a municipality, a school district, or an independent
125 special district to use a private provider firm or a
126 licensed building inspector, or a person who holds the
127 same licensure or certification as a private provider,
128 to provide certain services; amending s. 553.792,
129 F.S.; requiring the commission to develop a uniform
130 building permit application for mandatory use by local
131 governments; providing a requirement for the
132 application; requiring that such building permit
133 applications, to the extent feasible, be capable of
134 integration with existing building permit software
135 systems used by local governments and account for
136 local amendments to the Florida Building Code;
137 requiring a local government to make certain decisions
138 relating to certain building permits within a
139 specified timeframe; specifying that certain permit
140 applications are deemed approved and must be issued
141 within a certain timeframe; amending s. 720.3035,
142 F.S.; prohibiting an association or certain committees
143 from requiring a building permit as a prerequisite for
144 a certain review; providing an effective date.
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146 Be It Enacted by the Legislature of the State of Florida:

147

148 Section 1. Paragraph (d) of subsection (4) of section
149 125.56, Florida Statutes, is amended to read:

150 125.56 Enforcement and amendment of the Florida Building
151 Code and the Florida Fire Prevention Code; inspection fees;
152 inspectors; etc.—

153 (4)

154 (d) A county that issues building permits may send a
155 written notice of expiration, by e-mail or United States Postal
156 Service, to the owner of the property and the contractor listed
157 on the permit, no less than 30 days before a building permit is
158 set to expire. The written notice must identify the permit that
159 is set to expire and the date the permit will expire. A building
160 permit issued by a county for a single-family dwelling expires 1
161 year after the issuance of the permit or the effective date of
162 the next edition of the Florida Building Code, whichever is
163 later. This paragraph does not prevent a local government from
164 extending the building permit beyond 1 year.

165 Section 2. Paragraph (o) of subsection (1) of section
166 489.129, Florida Statutes, is amended to read:

167 489.129 Disciplinary proceedings.—

168 (1) The board may take any of the following actions against
169 any certificateholder or registrant: place on probation or
170 reprimand the licensee, revoke, suspend, or deny the issuance or
171 renewal of the certificate or registration, require financial
172 restitution to a consumer for financial harm directly related to
173 a violation of a provision of this part, impose an
174 administrative fine not to exceed \$10,000 per violation, require

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175 continuing education, or assess costs associated with
176 investigation and prosecution, if the contractor, financially
177 responsible officer, or business organization for which the
178 contractor is a primary qualifying agent, a financially
179 responsible officer, or a secondary qualifying agent responsible
180 under s. 489.1195 is found guilty of any of the following acts:

181 (o) Proceeding on any job without obtaining applicable
182 local building department permits and inspections, unless
183 otherwise provided by law.

184
185 For the purposes of this subsection, construction is considered
186 to be commenced when the contract is executed and the contractor
187 has accepted funds from the customer or lender. A contractor
188 does not commit a violation of this subsection when the
189 contractor relies on a building code interpretation rendered by
190 a building official or person authorized by s. 553.80 to enforce
191 the building code, absent a finding of fraud or deceit in the
192 practice of contracting, or gross negligence, repeated
193 negligence, or negligence resulting in a significant danger to
194 life or property on the part of the building official, in a
195 proceeding under chapter 120.

196 Section 3. Paragraphs (h) and (i) are added to subsection
197 (7) of section 553.73, Florida Statutes, to read:

198 553.73 Florida Building Code.—

199 (7)

200 (h)1. The commission shall modify the Florida Building Code
201 to exempt from building permit requirements the installation of
202 temporary residential hurricane and flood protection walls or
203 barriers that meet all of the following conditions:

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204 a. The wall or barrier is nonhabitable and nonload-bearing.
205 b. The wall or barrier is installed on the residential
206 property of a single-family or two-family dwelling or townhouse.
207 c. The wall or barrier is constructed to mitigate or
208 prevent storm surge or floodwaters from entering a structure or
209 property.
210 d. The wall or barrier is installed by a contractor
211 licensed under part I of chapter 489.
212 e. The wall or barrier complies with applicable local
213 zoning, drainage, easement, and setback requirements.
214 2. The commission may adopt rules under s. 120.54 to
215 incorporate necessary standards to implement this paragraph.
216 3. A local government has no legal duty to the owner, the
217 contractor, or their successors or assigns for work performed
218 pursuant to this paragraph.
219 (i) The commission shall modify the Florida Building Code
220 to state that building permits for retaining walls installed on
221 the residential property of a single-family or two-family
222 dwelling or a townhouse are not required for each lot or parcel.

223 Section 4. Paragraphs (a), (c), and (d) of subsection (1)
224 of section 553.79, Florida Statutes, are amended, and paragraph
225 (g) is added to that subsection, to read:

226 553.79 Permits; applications; issuance; inspections.—

227 (1) (a) Unless otherwise provided by law, after the
228 effective date of the Florida Building Code adopted as herein
229 provided, it shall be unlawful for any person, firm,
230 corporation, or governmental entity to construct, erect, alter,
231 modify, repair, or demolish any building within this state
232 without first obtaining a permit therefor from the appropriate

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233 enforcing agency or from such persons as may, by appropriate
234 resolution or regulation of the authorized state or local
235 enforcing agency, be delegated authority to issue such permits,
236 upon the payment of such reasonable fees adopted by the
237 enforcing agency. The enforcing agency is empowered to revoke
238 any such permit upon a determination by the agency that the
239 construction, erection, alteration, modification, repair, or
240 demolition of the building for which the permit was issued is in
241 violation of, or not in conformity with, the provisions of the
242 Florida Building Code. Whenever a permit required under this
243 section is denied or revoked because the plan, or the
244 construction, erection, alteration, modification, repair, or
245 demolition of a building, is found by the local enforcing agency
246 to be not in compliance with the Florida Building Code, the
247 local enforcing agency shall identify the specific plan or
248 project features that do not comply with the applicable codes,
249 identify the specific code chapters and sections upon which the
250 finding is based, and provide this information to the permit
251 applicant. A plans reviewer or building code administrator who
252 is responsible for issuing a denial, revocation, or modification
253 request but fails to provide to the permit applicant a reason
254 for denying, revoking, or requesting a modification, based on
255 compliance with the Florida Building Code or local ordinance, is
256 subject to disciplinary action against his or her license
257 pursuant to s. 468.621(1)(i). Installation, replacement,
258 removal, or metering of any load management control device is
259 exempt from and shall not be subject to the permit process and
260 fees otherwise required by this section.

261 (c) A local government that issues building permits may

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262 send a written notice of expiration, by e-mail or United States
263 Postal Service, to the owner of the property and the contractor
264 listed on the permit, no less than 30 days before a building
265 permit is set to expire. The written notice must identify the
266 permit that is set to expire and the date the permit will
267 expire. A building permit issued by a local government for a
268 single-family dwelling expires 1 year after the issuance of the
269 permit or the effective date of the next edition of the Florida
270 Building Code, whichever is later. This paragraph does not
271 prevent a local government from extending the building permit
272 beyond 1 year.

273 (d) A local enforcement agency must allow requests for
274 inspections to be submitted electronically to the local
275 enforcement agency's appropriate building department. Acceptable
276 methods of electronic submission include, but are not limited
277 to, e-mail or fill-in forms ~~form~~ available on the website of the
278 building department or through a third-party submission
279 management software or application that can be downloaded on a
280 mobile device. Requests for inspections may be submitted in a
281 nonelectronic format, at the discretion of the building
282 official. Inspection fees may not be based on the total cost of
283 a project and may not exceed the actual inspection costs
284 incurred by the local enforcement agency.

285 (g)1. A local government that issues building permits may
286 not require an owner of a single-family dwelling or the owner's
287 contractor to obtain a building permit to perform any work that
288 is valued at less than \$7,500 on the single-family dwelling's
289 lot. A construction project may not be divided into more than
290 one project for the purpose of evading the requirements of this

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291 section. However, a local government may require a building
292 permit for any electrical, plumbing, structural, mechanical, or
293 gas work performed on a lot containing a single-family dwelling
294 regardless of the value of the work.

295 2. For any work performed under this exemption by a person
296 other than the property owner, the person performing the work
297 shall file a notice of work with the local enforcement agency
298 that includes the name and license number of the person or
299 entity hired, the scope of the work performed, the property
300 address at which the work was performed, and the value of such
301 work as proof that such work complies with subparagraph 1. The
302 notice is not required for work performed personally by the
303 property owner. A local government has no legal duty to the
304 owner, contractor, or their successors or assigns, for work
305 performed pursuant to this paragraph.

306 Section 5. Section 553.791, Florida Statutes, is amended to
307 read:

308 553.791 Alternative plans review and inspection.—

309 (1) As used in this section, the term:

310 (a) "Applicable codes" means the Florida Building Code and
311 any local technical amendments to the Florida Building Code but
312 does not include the applicable minimum fire prevention and
313 firesafety codes adopted pursuant to chapter 633.

314 (b) "Audit" means the process to confirm that the building
315 code inspection services have been performed by the private
316 provider, which is strictly limited to including ensuring that
317 the required affidavit for the plan review has been properly
318 completed and submitted with the permit documents and that the
319 minimum mandatory inspections required under the Florida

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320 Building Code have been performed and properly recorded. The
321 local building official may not replicate the plan review or
322 inspection being performed by the private provider. The local
323 building official may perform a site visit in connection with
324 the audit only when the local building official has actual
325 knowledge that the forms and documents submitted by the private
326 provider are incomplete or incorrect, in which case the local
327 building official must provide written notice to the private
328 provider of the specific forms and documents that are incomplete
329 or incorrect before performing a site visit, unless expressly
330 authorized by this section.

331 (c) "Building" means any construction, erection,
332 alteration, demolition, or improvement of, or addition to, any
333 structure or site work for which permitting by a local
334 enforcement agency is required.

335 (d) "Building code inspection services" means those
336 services described in s. 468.603(5) and (8) involving the review
337 of building plans as well as those services involving the review
338 of site plans and site work engineering plans or their
339 functional equivalent, to determine compliance with applicable
340 codes and those inspections required by law, conducted either in
341 person or virtually, of each phase of construction for which
342 permitting by a local enforcement agency is required to
343 determine compliance with applicable codes.

344 (e) "Deliver" or "delivery" means any method of delivery
345 used in conventional business or commercial practice, including
346 delivery by electronic transmissions such as e-mail or any other
347 form of electronic communication used to transmit information.

348 (f) "Duly authorized representative" means an agent of the

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349 private provider identified in the permit application who
350 reviews plans or performs inspections as provided by this
351 section and who is licensed as an engineer under chapter 471 or
352 as an architect under chapter 481 or who holds a standard or
353 provisional certificate under part XII of chapter 468. A duly
354 authorized representative who only holds a provisional
355 certificate under part XII of chapter 468 must be under the
356 direct supervision of a person licensed as a building code
357 administrator under part XII of chapter 468.

358 (g) "Electronic signature" means any letters, characters,
359 or symbols manifested by electronic or similar means which are
360 executed or adopted by a party with an intent to authenticate a
361 writing or record.

362 (h) "Electronic transmission" or "submitted electronically"
363 means any form or process of communication not directly
364 involving the physical transfer of paper or another tangible
365 medium which is suitable for the retention, retrieval, and
366 reproduction of information by the recipient and is retrievable
367 in paper form by the receipt through an automated process. ~~All~~
368 ~~notices provided for in this section may be transmitted~~
369 ~~electronically and shall have the same legal effect as if~~
370 ~~physically posted or mailed.~~

371 (i) "Electronically posted" means providing notices of
372 decisions, results, or records, including inspection records,
373 through the use of a website or other form of electronic
374 communication used to transmit or display information.

375 (j) "Immediate threat to public safety and welfare" means a
376 building code violation that, if allowed to persist, constitutes
377 an immediate hazard that could result in death, serious bodily

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378 injury, or significant property damage. This paragraph does not
379 limit the authority of the local building official to issue a
380 Notice of Corrective Action at any time during the construction
381 of a building project or any portion of such project if the
382 official determines that a condition of the building or portion
383 thereof may constitute a hazard when the building is put into
384 use following completion as long as the condition cited is shown
385 to be in violation of the building code or approved plans.

386 (k) "Local building official" means the individual within
387 the governing jurisdiction responsible for direct regulatory
388 administration or supervision of plans review, enforcement, and
389 inspection of any construction, erection, alteration,
390 demolition, or substantial improvement of, or addition to, any
391 structure for which permitting is required to indicate
392 compliance with applicable codes and includes any duly
393 authorized designee of such person.

394 (l) "Permit application" means a properly completed and
395 submitted application for the requested building or construction
396 permit, including:

397 1. The plans reviewed by the private provider, inclusive of
398 site plans by a licensed reviewer, or in the case of a single-
399 trade plans review where a private provider uses an automated or
400 software-based plans review system pursuant to subsection (6),
401 the information reviewed by the automated or software-based
402 plans review system to determine compliance with one or more
403 applicable codes.

404 2. The affidavit from the private provider required under
405 subsection (6).

406 3. Any applicable fees.

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407 4. Any documents required by the local building official to
408 determine that the fee owner has secured all other government
409 approvals required by law.

410

411 All permit applications must be able to be submitted
412 electronically.

413 (m) "Plans" means building plans, site engineering plans,
414 or site plans, or their functional equivalent, submitted by a
415 fee owner or fee owner's contractor to a private provider or
416 duly authorized representative for review.

417 (n) "Private provider" means a person licensed as a
418 building code administrator under part XII of chapter 468, as an
419 engineer under chapter 471, or as an architect under chapter
420 481. For purposes of performing inspections under this section
421 for additions and alterations that are limited to 2,500 ~~1,000~~
422 square feet or less to residential buildings, the term "private
423 provider" also includes a person who holds a standard
424 certificate under part XII of chapter 468.

425 (o) "Private provider firm" means a business organization,
426 including a corporation, partnership, business trust, or other
427 legal entity, which offers services under this chapter to the
428 public through persons ~~licensees~~ who are acting as agents,
429 employees, officers, or partners of the firm. A person who is
430 licensed as a building code administrator under part XII of
431 chapter 468, an engineer under chapter 471, or an architect
432 under chapter 481 may act as a private provider for an agent,
433 employee, or officer of the private provider firm.

434 (p) "Request for certificate of occupancy or certificate of
435 completion" means a properly completed and executed application

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436 for:

- 437 1. A certificate of occupancy or certificate of completion.
- 438 2. A certificate of compliance from the private provider
- 439 required under subsection (14) ~~(13)~~.
- 440 3. Any applicable fees.
- 441 4. Any documents required by the local building official to
- 442 determine that the fee owner has secured all other government
- 443 approvals required by law.

444

445 All applications must be able to be submitted electronically.

446 (q) "Single-trade inspection" or "single-trade plans

447 review" means any inspection or plans review focused on a single

448 construction trade, such as plumbing, mechanical, or electrical.

449 The term includes, but is not limited to, inspections or plans

450 reviews of door or window replacements; fences and block walls

451 more than 6 feet high from the top of the wall to the bottom of

452 the footing; stucco or plastering; reroofing with no structural

453 alteration; solar energy and energy storage installations or

454 alterations; HVAC replacements; ductwork or fan replacements;

455 alteration or installation of wiring, lighting, and service

456 panels; water heater changeouts; sink replacements; and

457 repiping.

458 (r) "Site work" means the portion of a construction project

459 that is not part of the building structure, including, but not

460 limited to, grading, excavation, landscape irrigation, and

461 installation of driveways.

462 (s) "Stop-work order" means the issuance of any written

463 statement, written directive, or written order which states the

464 reason for the order and the conditions under which the cited

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465 work will be permitted to resume.

466 (2) (a) Notwithstanding any other law or local government
467 ordinance or local policy, the fee owner of a building or
468 structure, or the fee owner's contractor upon ~~written~~
469 authorization from the fee owner, may choose at any time to use
470 a private provider to provide building code inspection services
471 with regard to such building or structure and may make payment
472 directly to the private provider for the provision of such
473 services. All such services shall be the subject of an agreement
474 ~~a written contract~~ between the private provider, or the private
475 provider's firm, and the fee owner or the fee owner's
476 contractor, upon ~~written~~ authorization of the fee owner. The
477 agreement is not required to be submitted as part of the permit
478 application or as a condition for issuing a permit, and a local
479 building official or local government entity may not request
480 such agreement or consent form as a condition for issuing a
481 permit. The fee owner may elect to use a private provider to
482 provide plans review or required building inspections, or both.
483 However, if the fee owner or the fee owner's contractor uses a
484 private provider to provide plans review, the local building
485 official, in his or her discretion and pursuant to duly adopted
486 policies of the local enforcement agency, may require the fee
487 owner or the fee owner's contractor to use a private provider to
488 also provide required building inspections.

489 (b) If a fee ~~an~~ owner or the fee owner's contractor retains
490 a private provider for purposes of plans review or building
491 inspection services, the local jurisdiction must reduce the
492 permit fee by the amount of cost savings realized by the local
493 enforcement agency for not having to perform such services. Such

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494 reduction may be calculated on a flat fee or percentage basis,
495 or any other reasonable means by which a local enforcement
496 agency assesses the cost for its plans review or inspection
497 services. The reduced permit fee must be based on the cost
498 incurred by the local jurisdiction, including the labor cost of
499 the personnel providing such services and the clerical and
500 supervisory assistance required to comply with this section. The
501 local jurisdiction may not charge any additional fees for
502 building inspections or plans review if the fee owner or the fee
503 owner's contractor hires a private provider to perform such
504 services, and the local jurisdiction may not charge punitive
505 administrative fees for working with a private provider;
506 however, the local jurisdiction may charge a reasonable
507 administrative fee, which shall be based on the cost that is
508 actually incurred, including the labor cost of the personnel
509 providing the service, by the local jurisdiction or attributable
510 to the local jurisdiction for the clerical and supervisory
511 assistance required, or both.

512 (c) If a fee an owner or the fee owner's a contractor
513 retains a private provider for purposes of plans review or
514 building inspection services, the local jurisdiction must
515 immediately provide equal access to all permitting and
516 inspection documents and reports to the private provider, owner,
517 and contractor if such access is provided by software that
518 protects exempt records from disclosure.

519 (d) A local governmental entity or local building official
520 may not require additional forms beyond those required at
521 registration, except for the written notice required under
522 subsection (4), if a fee owner or the fee owner's contractor

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523 uses a private provider.524 (3) A private provider and any duly authorized
525 representative may only perform building code inspection
526 services that are within the disciplines covered by that
527 person's licensure or certification under chapter 468, chapter
528 471, or chapter 481, including single-trade inspections. A
529 private provider may not provide building code inspection
530 services pursuant to this section upon any building designed or
531 constructed by the private provider or the private provider's
532 firm.533 (4) A fee owner or the fee owner's contractor using a
534 private provider to provide building code inspection services
535 shall notify the local building official in writing at the time
536 of permit application, or by 2 p.m. local time, 2 business days
537 before the first scheduled inspection by the local building
538 official or building code enforcement agency that a private
539 provider has been contracted to perform the required inspections
540 of construction under this section, including single-trade
541 inspections, on the exact a form ~~to be~~ adopted by the
542 commission. Such form may not be altered by any local
543 governmental entity or local building official. This notice must
544 shall include the following information:545 (a) The services to be performed by the private provider.
546 (b) The name, firm, address, telephone number, and e-mail
547 address of each private provider who is performing or will
548 perform such services, his or her professional license or
549 certification number, ~~qualification statements or resumes~~, and,
550 if required by the local building official, a certificate of
551 insurance demonstrating that professional liability insurance

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552 coverage is in place for the private provider's firm, the
553 private provider, and any duly authorized representative in the
554 amounts required by this section.

555 (c) An acknowledgment from the fee owner or the fee owner's
556 contractor in substantially the following form:

557
558 I have elected to use one or more private providers to
559 provide building code plans review and/or inspection
560 services on the building or structure that is the
561 subject of the enclosed permit application, as
562 authorized by s. 553.791, Florida Statutes. I
563 understand that the local building official may not
564 review the plans submitted or perform the required
565 building inspections to determine compliance with the
566 applicable codes, except to the extent specified in
567 said law. Instead, plans review and/or required
568 building inspections will be performed by licensed or
569 certified personnel identified in the application. The
570 law requires minimum insurance requirements for such
571 personnel, but I understand that I may require more
572 insurance to protect my interests. By executing this
573 form, I acknowledge that I have made inquiry regarding
574 the competence of the licensed or certified personnel
575 and the level of their insurance and am satisfied that
576 my interests are adequately protected. I agree to
577 indemnify, defend, and hold harmless the local
578 government, the local building official, and their
579 building code enforcement personnel from any and all
580 claims arising from my use of these licensed or

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581 certified personnel to perform building code
582 inspection services with respect to the building or
583 structure that is the subject of the enclosed permit
584 application.

585

586 If the fee owner or the fee owner's contractor makes any changes
587 to the listed private providers or the services to be provided
588 by those private providers, the fee owner or the fee owner's
589 contractor must ~~shall~~, within 1 business day after any change or
590 within 2 business days before the next scheduled inspection,
591 update the notice to reflect such changes. A change of a duly
592 authorized representative named in the permit application does
593 not require a revision of the permit, and the building code
594 enforcement agency shall not charge a fee for making the change.

595 (5) After construction has commenced and if ~~either the~~
596 ~~local building official is unable to provide inspection services~~
597 ~~in a timely manner or~~ the work subject to inspection is related
598 to a single-trade inspection for a single-family or two-family
599 dwelling, the fee owner or the fee owner's contractor may elect
600 to use a private provider to provide inspection services by
601 notifying the local building official of the owner's or
602 contractor's intention to do so ~~by 2 p.m. local time, 2 business~~
603 ~~days~~ before the next scheduled inspection using the notice
604 provided for in paragraphs (4)(a)-(c).

605 (6) A private provider performing plans review under this
606 section shall review the plans to determine compliance with the
607 applicable codes. For single-trade plans reviews, a private
608 provider may use an automated or software-based plans review
609 system designed to determine compliance with one or more

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610 applicable codes, including, but not limited to, the National
611 Electrical Code and the Florida Building Code. Upon determining
612 that the plans reviewed comply with the applicable codes, the
613 private provider shall prepare an affidavit or affidavits
614 certifying, under oath, that the following is true and correct
615 to the best of the private provider's knowledge and belief:

616 (a) The plans were reviewed by the affiant, who is duly
617 authorized to perform plans review pursuant to this section and
618 holds the appropriate license or certificate.

619 (b) The plans comply with the applicable codes.

620
621 Such affidavit may bear a written or electronic signature and
622 must have the ability to ~~may~~ be submitted electronically to the
623 local building official.

624 (7) (a) The local building official may not review plans,
625 construction drawings, or any other related documents determined
626 by a private provider to be compliant with the applicable codes.

627 (b) The local building official may review other forms and
628 documents required under this section for completeness only. The
629 local building official must provide written notice to a permit
630 applicant of any incomplete forms or documents required under
631 this section no later than 10 days after receipt of a permit
632 application and an affidavit from the private provider as
633 required in subsection (6). The written notice must state with
634 specificity which forms or documents are incomplete.

635 (7) (a) ~~No more than 20 business days, or if the permit~~
636 ~~application is related to a single trade plans review for a~~
637 ~~single family or two family dwelling, no more than 5 business~~
638 ~~days, after receipt of a permit application and the affidavit~~

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639 from the private provider required pursuant to subsection (6),
640 the local building official shall issue the requested permit or
641 provide a written notice to the permit applicant identifying the
642 specific plan features that do not comply with the applicable
643 codes, as well as the specific code chapters and sections. If
644 the local building official does not provide such a written
645 notice of the plan deficiencies within 10 days the prescribed
646 time period, the permit application must be deemed approved as a
647 matter of law, and the permit must be issued by the local
648 building official on the next business day.

649 (c) (b) If the local building official provides a written
650 notice of plan deficiencies to the permit applicant of any
651 incomplete forms or documents required under this section at the
652 time of plan submission within the 10-day prescribed time
653 period, such the time period is tolled pending resolution of the
654 matter. To resolve the issues raised in the notice plan
655 deficiencies, the permit applicant may elect to dispute the
656 issues deficiencies pursuant to subsection (16) ~~(15)~~ or to
657 submit revisions to correct the issues deficiencies.

658 (d) (e) If the permit applicant submits revisions, the local
659 building official has the remainder of the tolled 10-day time
660 period plus 5 business days ~~after the date of resubmittal~~ to
661 issue the requested permit or to provide a second written notice
662 to the permit applicant stating which of the previously
663 identified forms or documents plan features remain incomplete in
664 noncompliance with the applicable codes, with specific reference
665 to the relevant code chapters and sections. Any subsequent
666 review by the local building official is limited to the issues
667 deficiencies cited in the original written notice. If the local

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668 building official does not provide the second written notice
669 within the prescribed time period, the permit must be deemed
670 approved as a matter of law, and the local building official
671 must issue the permit on the next business day.

672 (e) ~~(d)~~ If the local building official provides a second
673 written notice ~~of plan deficiencies~~ to the permit applicant
674 within the prescribed time period, the permit applicant may
675 elect to dispute the issues raised in the second notice
676 ~~deficiencies~~ pursuant to subsection (16) ~~(15)~~ or to submit
677 additional revisions to correct the issues ~~deficiencies~~. For all
678 revisions submitted after the first revision, the local building
679 official has an additional 5 business days ~~after the date of~~
680 ~~resubmittal~~ to issue the requested permit or to provide a
681 written notice to the permit applicant stating which of the
682 previously identified forms or documents ~~plan features~~ remain
683 incomplete. If the local building official does not provide the
684 notice within the prescribed time period, the permit is deemed
685 approved as a matter of law, and the local building official
686 must issue the permit on the next business day ~~in noncompliance~~
687 ~~with the applicable codes, with specific reference to the~~
688 ~~relevant code chapters and sections~~.

689 (8) A private provider performing required inspections
690 under this section shall inspect each phase of construction as
691 required by the applicable codes. Such inspection, including a
692 single-trade inspection, may be performed in person or
693 virtually. The private provider may have a duly authorized
694 representative perform the required inspections, provided all
695 required reports are prepared by and bear the written or
696 electronic signature of the private provider or the private

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697 provider's duly authorized representative. The duly authorized
698 representative must be supervised by or be an employee of the
699 private provider and be entitled to receive reemployment
700 assistance benefits under chapter 443. The contractor's
701 contractual or legal obligations are not relieved by any action
702 of the private provider.

703 (9) ~~A private provider performing required inspections~~
704 ~~under this section shall provide notice to the local building~~
705 ~~official of the approximate date and time of any such~~
706 ~~inspection. The local building official may not prohibit the~~
707 ~~private provider from performing any inspection outside the~~
708 ~~local building official's normal operating hours, including~~
709 ~~after hours, weekends, or holidays. The local building official~~
710 ~~may visit the building site as often as necessary to verify that~~
711 ~~the private provider is performing all required inspections.~~ A
712 deficiency notice must be posted by the private provider or, the
713 duly authorized representative of the private provider, ~~or the~~
714 ~~building department~~ whenever a noncomplying item related to the
715 building code or the permitted documents is found. Such notice
716 may be physically posted at the job site or electronically
717 posted. After corrections are made, the item must be reinspected
718 by the private provider or his or her representative before
719 being concealed. ~~Reinspection or reaudit fees shall not be~~
720 ~~charged by~~ The local jurisdiction may not charge any fees
721 related to the reinspection or any administrative matter related
722 to the reinspection.

723 (10) A local building official is not responsible for the
724 regulatory administration or supervision of building code
725 inspection services performed by a private provider hired by a

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726 fee owner or the fee owner's contractor. Verification of
727 licensure and insurance requirements for a private provider
728 firm's duly authorized representative is the responsibility of
729 the private provider firm's management, and the local building
730 official may not verify compliance or store information relating
731 to such verification as a result of the local jurisdiction's
732 audit inspection occurring before the performance of the private
733 provider's inspection or for any other administrative matter not
734 involving the detection of a violation of the building code or a
735 permit requirement.

736 (11) ~~(10)~~ If the private provider is a person licensed as an
737 engineer under chapter 471 or an architect under chapter 481 and
738 affixes his or her professional seal to the affidavit required
739 under subsection (6), the local building official must issue the
740 requested permit or provide a written notice to the permit
741 applicant identifying the specific plan features that do not
742 comply with the applicable codes, as well as the specific code
743 chapters and sections, within 10 business days after receipt of
744 the permit application and affidavit. In such written notice,
745 the local building official must provide with specificity the
746 plan's deficiencies, the reasons the permit application failed,
747 and the applicable codes being violated. If the local building
748 official does not provide specific written notice to the permit
749 applicant within the prescribed 10-day period, the permit
750 application is deemed approved as a matter of law, and the local
751 building official must issue the permit on the next business
752 day.

753 (12) ~~(11)~~ If equipment replacements and repairs must be
754 performed in an emergency situation, subject to the emergency

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755 permitting provisions of the Florida Building Code, a private
756 provider may perform emergency inspection services ~~without first~~
757 ~~notifying the local building official pursuant to subsection~~
758 ~~(9)~~. A private provider must conduct the inspection within 3
759 business days after being contacted to conduct an emergency
760 inspection and must submit the inspection report to the local
761 building official within 1 day after the inspection is
762 completed.

763 (13) (12) Upon completing the required inspections at each
764 applicable phase of construction, the private provider shall
765 record such inspections on a form provided by the commission
~~acceptable to the local building official~~. The form must bear
766 the written or electronic signature of the private provider or
767 the private provider's duly authorized representative. These
768 inspection records must ~~shall~~ reflect those inspections required
769 by the applicable codes of each phase of construction for which
770 permitting by a local enforcement agency is required. The
771 private provider, upon completion of the required inspection,
772 shall post each completed inspection record, indicating pass or
773 fail, and provide the record to the local building official
774 within 4 ~~2~~ business days. Such inspection record may be
775 electronically posted by the private provider, or the private
776 provider may post such inspection record physically at the
777 project site. The private provider may electronically transmit
778 the record to the local building official. The local building
779 official may not fail any inspection that is performed by a
780 private provider for not having the inspection records at the
781 job site if the inspection records are transmitted within 4
782 business days. The local building official may waive the

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784 requirement to provide a record of each inspection within 4 ~~2~~
785 business days if the record is electronically posted or posted
786 at the project site and all such inspection records are
787 submitted with the certificate of compliance. Unless the records
788 have been electronically posted or transmitted, records of all
789 required and completed inspections must ~~shall~~ be maintained at
790 the building site at all times and made available for review by
791 the local building official. The private provider shall report
792 to the local enforcement agency any condition that poses an
793 immediate threat to public safety and welfare.

794 (14) ~~(13)~~ Upon completion of all required inspections, the
795 private provider shall prepare a certificate of compliance, on a
796 form provided by the commission acceptable to the local building
797 ~~official~~, summarizing the inspections performed and including a
798 written representation, under oath, that the stated inspections
799 have been performed and that, to the best of the private
800 provider's knowledge and belief, the building construction
801 inspected complies with the approved plans and applicable codes.
802 The certificate of compliance must be signed by the private
803 provider and any duly authorized representative who physically
804 performed the inspection, if applicable. The statement required
805 of the private provider must ~~shall~~ be substantially in the
806 following form and must ~~shall~~ be signed and sealed by a private
807 provider as established in subsection (1) or may be
808 electronically transmitted to the local building official:

810 To the best of my knowledge and belief, the building
811 components and site improvements outlined herein and
812 inspected under my authority have been completed in

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813 conformance with the approved plans and the applicable
814 codes.

815

816 (15) (a) (14) (a) The local building official may perform
817 building inspections of construction that a private provider has
818 determined to be compliant with the applicable codes only if the
819 local building official has actual knowledge that the private
820 provider did not perform the required inspections. If the local
821 building official has such knowledge, the local building
822 official must provide to the private provider written notice of
823 the facts and circumstances upon which the local building
824 official relied for such actual knowledge before performing a
825 required inspection. The local building official may review
826 forms and documents required under this section for completeness
827 only. No more than 10 business days, or if the permit is related
828 to single-family or two-family dwellings then no more than 2
829 business days, after receipt of a request for a certificate of
830 occupancy or certificate of completion and the applicant's
831 presentation of a certificate of compliance and approval of all
832 other government approvals required by law, including the
833 payment of all outstanding fees, the local building official
834 shall issue the certificate of occupancy or certificate of
835 completion or provide a notice to the applicant of any
836 incomplete forms or documents required under this section
837 identifying the specific deficiencies, as well as the specific
838 code chapters and sections.

839 (b) If the local building official does not provide notice
840 of any incomplete forms or documents the deficiencies within the
841 applicable time periods under paragraph (a), the request for a

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842 certificate of occupancy or certificate of completion is
843 automatically granted and deemed issued as of the next business
844 day. The local building official must provide the applicant with
845 the written certificate of occupancy or certificate of
846 completion within 2 ~~10~~ days after it is automatically granted
847 and issued. To resolve any identified issues deficiencies, the
848 applicant may elect to dispute the issues deficiencies pursuant
849 to subsection (16) ~~(15)~~ or to submit a corrected request for a
850 certificate of occupancy or certificate of completion.

851 (16) ~~(15)~~ If the local building official determines that any
852 forms or documents required under this section are incomplete
853 ~~the building construction or plans do not comply with the~~
854 ~~applicable codes~~, the official may deny the permit or request
855 for a certificate of occupancy or certificate of completion, as
856 appropriate, or may issue a stop-work order for the project or
857 any portion thereof as provided by law, if the official
858 determines that the noncompliance poses an immediate threat to
859 public safety and welfare, subject to the following:

860 (a) The local building official is ~~shall~~ be available to
861 meet with the private provider within 2 business days to resolve
862 any dispute after issuing a stop-work order or providing notice
863 to the applicant denying a permit or request for a certificate
864 of occupancy or certificate of completion.

865 (b) If the local building official and private provider are
866 unable to resolve the dispute, the matter must ~~shall~~ be referred
867 to the local enforcement agency's board of appeals, if one
868 exists, which must ~~shall~~ consider the matter at its next
869 scheduled meeting or sooner. Any decisions by the local
870 enforcement agency's board of appeals, or local building

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871 official if there is no board of appeals, may be appealed to the
872 commission as provided by this chapter.

873 (c) Notwithstanding ~~any provision of~~ this section, any
874 decisions regarding the issuance of a building permit,
875 certificate of occupancy, or certificate of completion may be
876 reviewed by the local enforcement agency's board of appeals, if
877 one exists. Any decision by the local enforcement agency's board
878 of appeals, or local building official if there is no board of
879 appeals, may be appealed to the commission as provided by this
880 chapter, which shall consider the matter at the commission's
881 next scheduled meeting.

882 (17)~~(16)~~ For the purposes of this section, any notice to be
883 provided by the local building official ~~is shall~~ be deemed to be
884 provided to the person or entity when successfully transmitted
885 to the e-mail address listed for that person or entity in the
886 permit application or revised permit application, or, if no e-
887 mail address is stated, when actually received by that person or
888 entity.

889 (18) ~~(a)~~~~(17)~~(a) A local enforcement agency, local building
890 official, or local government may not adopt or enforce any laws,
891 rules, procedures, policies, qualifications, or standards more
892 stringent than those prescribed by this section.

893 (b) A local enforcement agency, local building official, or
894 local government may establish, for private providers ~~and,~~
895 ~~private provider firms, and duly authorized representatives~~
896 working within that jurisdiction, a ~~system of~~ registration
897 ~~system for private providers~~ to verify compliance with the
898 licensure requirements of paragraph (1)(n) and the insurance
899 requirements of subsection ~~(19)~~~~(18)~~. The local building official

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900 may not charge administrative fees for the registration process
901 for a private provider, or for any updates to a private provider
902 registration.

903 (c) This section does not limit the authority of the local
904 building official to issue a stop-work order for a building
905 project or any portion of the project, as provided by law, if
906 the official determines that a condition on the building site
907 constitutes an immediate threat to public safety and welfare,
908 provided such orders are in strict compliance with the
909 deficiency notice provisions of subsection (9).

910 (d) A local enforcement agency, local building official, or
911 local government may not prohibit or limit the use of virtual
912 inspections by private providers and private provider firms for
913 any type of construction such providers or firms have a license
914 to inspect.

915 (19)(+18) A private provider may perform building code
916 inspection services on a building project under this section
917 only if the private provider maintains insurance for
918 professional liability covering all services performed as a
919 private provider. Such insurance must shall have minimum policy
920 limits of \$1 million per occurrence and \$2 million in the
921 aggregate for any project with a construction cost of \$5 million
922 or less and \$2 million per occurrence and \$4 million in the
923 aggregate for any project with a construction cost of over \$5
924 million. Nothing in This section does not limit limits the
925 ability of a fee owner to require additional insurance or higher
926 policy limits. For these purposes, the term "construction cost"
927 means the total cost of building construction as stated in the
928 building permit application. If the private provider chooses to

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929 secure claims-made coverage to fulfill this requirement, the
930 private provider must also maintain coverage for a minimum of 5
931 years after subsequent to the performance of building code
932 inspection services. The insurance required under this
933 subsection must shall be written only by insurers authorized to
934 do business in this state with a minimum A.M. Best's rating of
935 A. Before providing building code inspection services within a
936 local building official's jurisdiction, a private provider must
937 provide to the local building official a certificate of
938 insurance evidencing that the coverages required under this
939 subsection are in force.

940 (20) ~~(19)~~ When performing building code inspection services,
941 a private provider is subject to the disciplinary guidelines of
942 the applicable professional board with jurisdiction over his or
943 her license or certification under chapter 468, chapter 471, or
944 chapter 481. All private providers are shall be subject to the
945 disciplinary guidelines of s. 468.621(1) (c)-(h). Any complaint
946 processing, investigation, and discipline that arise out of a
947 private provider's performance of building code inspection
948 services must shall be conducted by the applicable professional
949 board.

950 (21) (a) The department shall maintain a statewide registry
951 of licensed persons and business organizations qualified to act
952 as private providers under this section.

953 (b) A local enforcement agency shall use the statewide
954 registry to verify the licensure and professional liability
955 insurance of a private provider. A private provider's
956 registration in the department's registry is deemed sufficient
957 to satisfy any local registration requirements.

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958 (c) A local enforcement agency may not require a private
959 provider to submit a separate local registration or pay a
960 registration fee for any project in its jurisdiction if the
961 private provider is currently active in the registry.

962 (22) ~~(20)~~ A local building code enforcement agency may not
963 audit the performance of building code inspection services by
964 private providers operating within the local jurisdiction until
965 the agency has created standard operating ~~private provider audit~~
966 procedures for the agency's internal inspection and review
967 staff, which includes, at a minimum, the private provider audit
968 purpose and scope, private provider audit criteria, an
969 explanation of private provider audit processes and objections,
970 and detailed findings of areas of noncompliance. Such private
971 provider audit procedures must be publicly available online, and
972 a printed version must be readily accessible in agency
973 buildings. The private provider audit results of staff for the
974 prior two quarters also must be publicly available. The agency's
975 audit processes must adhere to the agency's posted standard
976 operating audit procedures. The same private provider or private
977 provider firm may not be audited more than four times in a year
978 unless the local building official determines a condition of a
979 building constitutes an immediate threat to public safety and
980 welfare, which must be communicated in writing to the private
981 provider or private provider firm. The private provider or
982 private provider firm must be given notice of each audit to be
983 performed at least 5 business days before the audit. Work on a
984 building or structure may proceed after inspection and approval
985 by a private provider. The work may not be delayed for
986 completion of an inspection audit by the local building code

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987 enforcement agency.

988 (23) ~~(21)~~ The local government, the local building official,
989 and their building code enforcement personnel are shall be
990 immune from liability to any person or party for any action or
991 inaction by a fee owner of a building, or by a private provider
992 or its duly authorized representative, in connection with
993 building code inspection services as authorized in this act. The
994 local government, local building official, and building code
995 enforcement personnel may not prohibit or discourage the use of
996 a private provider or a private provider firm.997 (24) ~~(22)~~ Notwithstanding any other law, a county, a
998 municipality, a school district, or an independent special
999 district may use a private provider or a private provider firm,
1000 or may employ a licensed building inspector as defined in s.
1001 468.603(5), or a person who holds the same licensure or
1002 certification as a private provider, to provide building code
1003 inspection services for a public works project, an improvement,
1004 a building, or any other structure that is owned by the county,
1005 municipality, school district, or independent special district.1006 Section 6. Section 553.792, Florida Statutes, is amended to
1007 read:

1008 553.792 Building permit application to local government.—

1009 (1) The Florida Building Commission shall develop a uniform
1010 building permit application for mandatory use by local
1011 governments. The application must include a checklist by project
1012 type for permitted work. To the extent feasible, the uniform
1013 building permit applications adopted by the commission must be
1014 capable of integration with existing building permit software
1015 systems used by local governments and must account for local

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1016 amendments to the Florida Building Code.

1017 (2) (a) (1) (a) A local government must approve, approve with
1018 conditions, or deny a building permit application after receipt
1019 of a completed and sufficient application within the following
1020 timeframes, unless the applicant waives such timeframes in
1021 writing:

1022 1. Within 5 business days after receiving a complete and
1023 sufficient application, for an applicant using a local
1024 government plans reviewer to obtain the following building
1025 permits for an existing single-family residential dwelling if
1026 the value of the work is less than \$15,000: structural,
1027 accessory structure, alarm, electrical, irrigation, landscaping,
1028 mechanical, plumbing, or roofing.

1029 2.1. Within 30 business days after receiving a complete and
1030 sufficient application, for an applicant using a local
1031 government plans reviewer to obtain the following building
1032 permits if the structure is less than 7,500 square feet:
1033 residential units, including a single-family residential unit or
1034 a single-family residential dwelling, accessory structure,
1035 alarm, electrical, irrigation, landscaping, mechanical,
1036 plumbing, or roofing.

1037 3.2. Within 60 business days after receiving a complete and
1038 sufficient application, for an applicant using a local
1039 government plans reviewer to obtain the following building
1040 permits if the structure is 7,500 square feet or more:
1041 residential units, including a single-family residential unit or
1042 a single-family residential dwelling, accessory structure,
1043 alarm, electrical, irrigation, landscaping, mechanical,
1044 plumbing, or roofing.

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1045 4.3. Within 60 business days after receiving a complete and
1046 sufficient application, for an applicant using a local
1047 government plans reviewer to obtain the following building
1048 permits: signs or nonresidential buildings that are less than
1049 25,000 square feet.

1050 5.4. Within 60 business days after receiving a complete and
1051 sufficient application, for an applicant using a local
1052 government plans reviewer to obtain the following building
1053 permits: multifamily residential, not exceeding 50 units; site-
1054 plan approvals and subdivision plats not requiring public
1055 hearing or public notice; and lot grading and site alteration.

1056 6.5. Within 12 business days after receiving a complete and
1057 sufficient application, for an applicant using a master building
1058 permit consistent with s. 553.794 to obtain a site-specific
1059 building permit.

1060 7.6. Within 10 business days after receiving a complete and
1061 sufficient application, for an applicant for a single-family
1062 residential dwelling applied for by a contractor licensed in
1063 this state on behalf of a property owner who participates in a
1064 Community Development Block Grant-Disaster Recovery program
1065 administered by the Department of Commerce, unless the permit
1066 application fails to satisfy the Florida Building Code or the
1067 enforcing agency's laws or ordinances.

1068
1069 However, the local government may not require the waiver of the
1070 timeframes in this section as a condition precedent to reviewing
1071 an applicant's building permit application.

1072 (b) A signed and sealed permit application and an
1073 attestation by an architect licensed under chapter 481 or an

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1074 engineer licensed under chapter 471 that the plans in the permit
1075 application comply with the Florida Building Code for the
1076 construction or renovation of a single-family dwelling located
1077 in a jurisdiction for which a state of emergency was issued
1078 within the 24 months before the submission of the application is
1079 deemed approved. The local government shall issue such permit
1080 within 2 days after approval.

1081 (c) ~~(b)~~ A local government must meet the timeframes set
1082 forth in this section for reviewing building permit applications
1083 unless the timeframes set by local ordinance are more stringent
1084 than those prescribed in this section.

1085 (d) ~~(e)~~ After an applicant submits an application to the
1086 local government, the local government must provide written
1087 notice to the applicant within 5 business days after receipt of
1088 the application advising the applicant what information, if any,
1089 is needed to deem or determine that the application is properly
1090 completed in compliance with the filing requirements published
1091 by the local government. If the local government does not
1092 provide timely written notice that the applicant has not
1093 submitted the properly completed application, the application is
1094 automatically deemed or determined to be properly completed and
1095 accepted.

1096 (e) ~~(d)~~ A local government shall maintain on its website a
1097 policy containing procedures and expectations for expedited
1098 processing of those building permits and development orders
1099 required by law to be expedited.

1100 (f) ~~(e)~~ If a local government fails to meet a deadline under
1101 this subsection, it must reduce the building permit fee by 10
1102 percent for each business day that it fails to meet the

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1103 deadline, unless the parties agree in writing to a reasonable
1104 extension of time, the delay is caused by the applicant, or the
1105 delay is attributable to a force majeure or other extraordinary
1106 circumstances. Each 10-percent reduction must shall be based on
1107 the original amount of the building permit fee, unless the
1108 parties agree to an extension of time.

1109 (g) (f) A local enforcement agency does not have to reduce
1110 the building permit fee if it provides written notice to the
1111 applicant by e-mail or United States Postal Service within the
1112 respective timeframes in paragraph (a) which specifically states
1113 the reasons the permit application fails to satisfy the Florida
1114 Building Code or the enforcing agency's laws or ordinances. The
1115 written notice must also state that the applicant has 10
1116 business days after receiving the written notice to submit
1117 revisions to correct the permit application and that failure to
1118 correct the application within 10 business days will result in a
1119 denial of the application.

1120 (h) (g) If the applicant submits revisions within 10
1121 business days after receiving the written notice, the local
1122 enforcement agency has 10 business days after receiving such
1123 revisions to approve or deny the building permit unless the
1124 applicant agrees to a longer period in writing. If the local
1125 enforcement agency fails to issue or deny the building permit
1126 within 10 business days after receiving the revisions, it must
1127 reduce the building permit fee by 20 percent for each business
1128 day that it fails to meet the deadline unless the applicant
1129 agrees to a longer period in writing.

1130 (3) (2) If any building permit fees are refunded under this
1131 section, the surcharges provided in s. 468.631 or s. 553.721

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1132 must be recalculated based on the amount of the building permit
1133 fees after the refund.

1134 Section 7. Paragraph (c) is added to subsection (1) of
1135 section 720.3035, Florida Statutes, to read:

1136 720.3035 Architectural control covenants; parcel owner
1137 improvements; rights and privileges.—

1138 (1)

1139 (c) An association or any architectural, construction
1140 improvement, or other such similar committee of an association
1141 may not require a building permit to be issued by a governmental
1142 authority to a parcel owner as a prerequisite for review by the
1143 association or committee concerning the construction of
1144 structures or improvements on the parcel.

1145 Section 8. This act shall take effect July 1, 2026.