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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2026	.	
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The Appropriations Committee on Agriculture, Environment, and General Government (Leek) recommended the following:

1       **Senate Substitute for Amendment (716506) (with title**  
2 **amendment)**

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4       Delete lines 17 - 79  
5 and insert:

6       Section 1. Subsection (4) is added to section 11.40,  
7 Florida Statutes, to read:

8       11.40 Legislative Auditing Committee.—

9       (4) A local governmental entity is not eligible to receive  
10 state funds through a local funding initiative request if the



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11 local governmental entity was subject to an audit directed by  
12 the Legislative Auditing Committee within the 1-year period  
13 preceding the date of the submission of the local funding  
14 initiative request, as measured from the date on which the  
15 Legislative Auditing Committee votes to direct the audit.  
16 However, a local governmental entity that was subject to an  
17 audit pursuant to this subsection may be eligible to receive  
18 such funds if, at the time of submission of the local funding  
19 initiative request to its legislative delegation, the local  
20 governmental entity includes an affirmation stating that it is  
21 no longer the subject of such audit. The Legislative Auditing  
22 Committee shall notify the chairs of each legislative  
23 appropriations committee upon voting to direct an audit of a  
24 local governmental entity.

25 Section 2. Paragraph (a) of subsection (7) of section  
26 553.80, Florida Statutes, is amended to read:

27 553.80 Enforcement.—

28 (7) (a) The governing bodies of local governments may  
29 provide a schedule of reasonable fees, as authorized by s.  
30 125.56(2) or s. 166.222 and this section, for enforcing this  
31 part. These fees, and any fines or investment earnings related  
32 to the fees, may only be used for carrying out the local  
33 government's responsibilities in enforcing the Florida Building  
34 Code, including, but not limited to, any process or enforcement  
35 related to obtaining or finalizing a building permit. When  
36 providing a schedule of reasonable fees, the total estimated  
37 annual revenue derived from fees, and the fines and investment  
38 earnings related to the fees, may not exceed the total estimated  
39 annual costs of allowable activities. Any unexpended balances



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40 must be carried forward to future years for allowable activities  
41 or must be refunded at the discretion of the local government. A  
42 local government may not carry forward an amount exceeding the  
43 average of its operating budget for enforcing the Florida  
44 Building Code for the previous 4 fiscal years. For purposes of  
45 this subsection, the term "operating budget" does not include  
46 reserve amounts. Any amount exceeding this limit must be used as  
47 authorized in subparagraph 2. However, a local government that  
48 established, as of January 1, 2019, a Building Inspections Fund  
49 Advisory Board consisting of five members from the construction  
50 stakeholder community and carries an unexpended balance in  
51 excess of the average of its operating budget for the previous 4  
52 fiscal years may continue to carry such excess funds forward  
53 upon the recommendation of the advisory board. The basis for a  
54 fee structure for allowable activities must relate to the level  
55 of service provided by the local government and must include  
56 consideration for refunding fees due to reduced services based  
57 on services provided as prescribed by s. 553.791, but not  
58 provided by the local government. Fees charged must be  
59 consistently applied.

60 1. As used in this subsection, the phrase "enforcing the  
61 Florida Building Code" includes the direct costs and reasonable  
62 indirect costs associated with review of building plans,  
63 building inspections, reinspections, and building permit  
64 processing; building code enforcement; and fire inspections  
65 associated with new construction. The phrase may also include  
66 training costs associated with the enforcement of the Florida  
67 Building Code and enforcement action pertaining to unlicensed  
68 contractor activity to the extent not funded by other user fees.



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69           2. A local government must use any excess funds that it is  
70 prohibited from carrying forward to rebate and reduce fees, to  
71 upgrade technology hardware and software systems to enhance  
72 service delivery, ~~to pay for the construction of a building or~~  
73 ~~structure that houses a local government's building code~~  
74 ~~enforcement agency,~~ or for training programs for building  
75 officials, inspectors, or plans examiners associated with the  
76 enforcement of the Florida Building Code. ~~Excess funds used to~~  
77 ~~construct such a~~

78  
79 ===== T I T L E   A M E N D M E N T =====

80 And the title is amended as follows:

81           Delete lines 2 - 12

82 and insert:

83           An act relating to local government funding; amending  
84 s. 11.40, F.S.; providing that a local governmental  
85 entity is not eligible to receive state funds through  
86 a local funding initiative request if the local  
87 governmental entity was subject to an audit directed  
88 by the Legislative Auditing Committee within a  
89 specified timeframe; providing an exception; requiring  
90 the Legislative Auditing Committee to notify the  
91 chairs of each legislative appropriations committee  
92 upon voting to direct an audit of a local governmental  
93 entity; amending s. 553.80, F.S.; revising the manner  
94 in which a local government is required to spend  
95 excess funds; providing an