



339774

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
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The Committee on Appropriations (Leek) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (7) of section
553.80, Florida Statutes, is amended to read:

553.80 Enforcement.—

(7) (a) The governing bodies of local governments may
provide a schedule of reasonable fees, as authorized by s.
125.56(2) or s. 166.222 and this section, for enforcing this



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11 part. These fees, and any fines or investment earnings related
12 to the fees, may only be used for carrying out the local
13 government's responsibilities in enforcing the Florida Building
14 Code, including, but not limited to, any process or enforcement
15 related to obtaining or finalizing a building permit. When
16 providing a schedule of reasonable fees, the total estimated
17 annual revenue derived from fees, and the fines and investment
18 earnings related to the fees, may not exceed the total estimated
19 annual costs of allowable activities. Any unexpended balances
20 must be carried forward to future years for allowable activities
21 or must be refunded at the discretion of the local government. A
22 local government may not carry forward an amount exceeding the
23 average of its operating budget for enforcing the Florida
24 Building Code for the previous 4 fiscal years. For purposes of
25 this subsection, the term "operating budget" does not include
26 reserve amounts. Any amount exceeding this limit must be used as
27 authorized in subparagraph 2. However, a local government that
28 established, as of January 1, 2019, a Building Inspections Fund
29 Advisory Board consisting of five members from the construction
30 stakeholder community and carries an unexpended balance in
31 excess of the average of its operating budget for the previous 4
32 fiscal years may continue to carry such excess funds forward
33 upon the recommendation of the advisory board. The basis for a
34 fee structure for allowable activities must relate to the level
35 of service provided by the local government and must include
36 consideration for refunding fees due to reduced services based
37 on services provided as prescribed by s. 553.791, but not
38 provided by the local government. Fees charged must be
39 consistently applied.



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40 1. As used in this subsection, the phrase "enforcing the
41 Florida Building Code" includes the direct costs and reasonable
42 indirect costs associated with review of building plans,
43 building inspections, reinspections, and building permit
44 processing; building code enforcement; and fire inspections
45 associated with new construction. The phrase may also include
46 training costs associated with the enforcement of the Florida
47 Building Code and enforcement action pertaining to unlicensed
48 contractor activity to the extent not funded by other user fees.

49 2. A local government must use any excess funds that it is
50 prohibited from carrying forward to rebate and reduce fees, to
51 upgrade technology hardware and software systems to enhance
52 service delivery, ~~to pay for the construction of a building or~~
53 ~~structure that houses a local government's building code~~
54 ~~enforcement agency,~~ or for training programs for building
55 officials, inspectors, or plans examiners associated with the
56 enforcement of the Florida Building Code. ~~Excess funds used to~~
57 ~~construct such a building or structure must be designated for~~
58 ~~such purpose by the local government and may not be carried~~
59 ~~forward for more than 4 consecutive years.~~ An owner or a builder
60 who has a valid building permit issued by a local government for
61 a fee, or an association of owners or builders located in this
62 ~~the state which that~~ has members with valid building permits
63 issued by a local government for a fee, may bring a civil action
64 against the local government that issued the permit for a fee to
65 enforce this subparagraph.

66 3. The following activities may not be funded with fees
67 adopted for enforcing the Florida Building Code:

68 a. Planning and zoning or other general government



69 activities not related to obtaining a building permit.

70 b. Inspections of public buildings for a reduced fee or no
71 fee.

72 c. Public information requests, community functions,
73 boards, and any program not directly related to enforcement of
74 the Florida Building Code.

75 d. Enforcement and implementation of any other local
76 ordinance, excluding validly adopted local amendments to the
77 Florida Building Code and excluding any local ordinance directly
78 related to enforcing the Florida Building Code as defined in
79 subparagraph 1.

80 4. A local government must use recognized management,
81 accounting, and oversight practices to ensure that fees, fines,
82 and investment earnings generated under this subsection are
83 maintained and allocated or used solely for the purposes
84 described in subparagraph 1.

85 5. The local enforcement agency, independent district, or
86 special district may not require at any time, including at the
87 time of application for a permit, the payment of any additional
88 fees, charges, or expenses associated with:

89 a. Providing proof of licensure under chapter 489;

90 b. Recording or filing a license issued under this chapter;

91 c. Providing, recording, or filing evidence of workers'
92 compensation insurance coverage as required by chapter 440; or

93 d. Charging surcharges or other similar fees not directly
94 related to enforcing the Florida Building Code.

95 Section 2. This act shall take effect July 1, 2026.

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97 ===== T I T L E A M E N D M E N T =====



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98 And the title is amended as follows:

99 Delete everything before the enacting clause

100 and insert:

101 A bill to be entitled

102 An act relating to enforcement of the Florida Building

103 Code; amending s. 553.80, F.S.; revising the manner in

104 which a local government is required to spend excess

105 funds; providing an effective date.