



716506

LEGISLATIVE ACTION

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

Senate Amendment (with title amendment)

Delete lines 17 - 79

and insert:

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

11.40 Legislative Auditing Committee.—

(4) A local governmental entity is not eligible to receive state funds through a local funding initiative request if the local governmental entity was subject to an audit directed by



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11 the Legislative Auditing Committee within the 1-year period
12 preceding the date of the submission of the local funding
13 initiative request, as measured from the date on which the
14 Legislative Auditing Committee votes to direct the audit. Each
15 local governmental entity shall submit an affidavit with its
16 local funding initiative request stating that it is not
17 currently the subject of an audit directed by the Legislative
18 Auditing Committee. The Legislative Auditing Committee shall
19 notify the chairs of each legislative appropriations committee
20 upon voting to direct an audit of a local governmental entity.

21 Section 2. Paragraph (a) of subsection (7) of section
22 553.80, Florida Statutes, is amended to read:

23 553.80 Enforcement.—

24 (7) (a) The governing bodies of local governments may
25 provide a schedule of reasonable fees, as authorized by s.
26 125.56(2) or s. 166.222 and this section, for enforcing this
27 part. These fees, and any fines or investment earnings related
28 to the fees, may only be used for carrying out the local
29 government's responsibilities in enforcing the Florida Building
30 Code, including, but not limited to, any process or enforcement
31 related to obtaining or finalizing a building permit. When
32 providing a schedule of reasonable fees, the total estimated
33 annual revenue derived from fees, and the fines and investment
34 earnings related to the fees, may not exceed the total estimated
35 annual costs of allowable activities. Any unexpended balances
36 must be carried forward to future years for allowable activities
37 or must be refunded at the discretion of the local government. A
38 local government may not carry forward an amount exceeding the
39 average of its operating budget for enforcing the Florida



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

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

65 2. A local government must use any excess funds that it is
66 prohibited from carrying forward to rebate and reduce fees, to
67 upgrade technology hardware and software systems to enhance
68 service delivery, ~~to pay for the construction of a building or~~



69 ~~structure that houses a local government's building code~~
70 ~~enforcement agency,~~ or for training programs for building
71 officials, inspectors, or plans examiners associated with the
72 enforcement of the Florida Building Code. A local government is
73 not eligible to receive state funds through a local funding
74 initiative request if the local government has been subject to a
75 legislative committee's audit within 1 year after the local
76 government's request, or if the local government does not submit
77 in its local funding initiative request to its legislative
78 delegation an affirmation stating that it is no longer the
79 subject of a state audit ~~Excess funds used to construct such a~~

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

82 And the title is amended as follows:

83 Delete lines 3 - 12

84 and insert:

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



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98 providing that a local government is not eligible to
99 receive state funds through a local funding initiative
100 request if it has been subject to a legislative
101 committee's audit within a specified timeframe or if
102 it fails to submit a certain affirmation to its
103 legislative delegation; providing an