

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Griffitts offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 255.0518, Florida Statutes, is amended to read:

255.0518 Public bids; bid opening.—Notwithstanding s. 119.071(1)(b), the state or any county or municipality thereof or any department or agency of the state, county, or municipality or any other public body or institution shall:

(1) Open, whether in electronic or paper format, ~~When opening~~ sealed bids or the portion of any sealed bids which includes that include the prices ~~submitted~~ that are received pursuant to a competitive solicitation for construction or

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14 repairs on a public building or public work, ~~open the sealed~~
15 ~~bids~~ at a public meeting conducted in person or virtually in
16 compliance with s. 286.011.

17 **Section 2. Subsection (2) of section 255.0525, Florida**
18 **Statutes, is amended to read:**

19 255.0525 Advertising for competitive bids or proposals.—

20 (2) The solicitation of competitive bids or proposals for
21 any county, municipality, or other political subdivision
22 construction project that is projected to cost more than
23 \$200,000 must ~~shall~~ be publicly advertised at least once in a
24 newspaper of general circulation in the county in which ~~where~~
25 the project is located or on a publicly accessible website in
26 accordance with s. 50.0311 at least 21 days before ~~prior to~~ the
27 established bid opening and at least 5 days before ~~prior to~~ any
28 scheduled prebid conference. The solicitation of competitive
29 bids or proposals for any county, municipality, or other
30 political subdivision construction project that is projected to
31 cost more than \$500,000 must ~~shall~~ be publicly advertised at
32 least once in a newspaper of general circulation in the county
33 in which ~~where~~ the project is located or on a publicly
34 accessible website in accordance with s. 50.0311 at least 30
35 days before ~~prior to~~ the established bid opening and at least 5
36 days before ~~prior to~~ any scheduled prebid conference. Bids or
37 proposals must ~~shall~~ be received and opened at the location,
38 date, and time established in the bid or proposal advertisement.

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39 In cases of emergency, the procedures required in this section
40 may be altered by the local governmental entity in any manner
41 that is reasonable under the emergency circumstances.

42 **Section 3. Section 255.0994, Florida Statutes, is created**
43 **to read:**

44 255.0994 Public works projects; unenforceability of
45 certain contract provisions regarding delays.—

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

47 (a) "Governmental entity" has the same meaning as in s.
48 255.0993(1).

49 (b) "Public works project" has the same meaning as in s.
50 255.0992(1).

51 (2) Except as otherwise required by federal or state law,
52 a governmental entity that contracts for a public works project
53 may not take any of the following actions:

54 (a) Enforce any contract provision that eliminates or
55 limits the contractor's right to receive compensation for
56 damages and increased costs, equitable adjustments, or time
57 extensions due to a delay in performance of the contract if the
58 delay was caused by the acts or omissions of the governmental
59 entity or any agent, employee, or person acting on behalf of the
60 governmental entity.

61 (b) Enforce any contract provision that eliminates or
62 limits the contractor's right to receive time extensions for any
63 day during which a delay caused by the acts or omissions of the

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64 governmental entity or any agent, employee, or person acting on
65 behalf of the governmental entity overlaps with a delay caused
66 by the acts or omissions of the contractor or his or her
67 subcontractors, agents, or employees.

68 (3) This section may not be construed to render
69 unenforceable a provision of a contract for a public works
70 project which:

71 (a) Requires the party claiming a delay to give notice of
72 the acts or omissions giving rise to the delay;

73 (b) Allows a governmental entity to recover damages for a
74 delay if the delay was caused by the acts or omissions of the
75 contractor or his or her subcontractors, agents, or employees;
76 or

77 (c) Provides for arbitration or any other procedure
78 designed to settle contract disputes.

79 (4) If a contract for a public works project contains a
80 provision that is unenforceable under this section, the
81 provision must be severed from the contract, and the remaining
82 provisions must remain in full force and effect.

83 (5) This section applies to any contract for a public
84 works project entered into on or after July 1, 2026.

85 **Section 4. Present subsections (1) through (12) of section**
86 **553.71, Florida Statutes, are redesignated as subsections (2)**
87 **through (13), respectively, and a new subsection (1) is added to**
88 **that section, to read:**

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89 553.71 Definitions.—As used in this part, the term:

90 (1) "Commercial construction project" means the
91 construction, alteration, or repair of a building or structure
92 that is primarily intended for business, industrial,
93 institutional, or mercantile use and is not classified as
94 residential under the Florida Building Code.

95 **Section 5. Section 553.789, Florida Statutes, is created**
96 **to read:**

97 553.789 Uniform commercial building permit application.—

98 (1) By December 31, 2027, the commission shall adopt by
99 rule a uniform commercial building permit application to be used
100 statewide for commercial construction projects. The application
101 must include, at a minimum, all of the following information:

102 (a) The name and contact information of the property
103 owner.

104 (b) The name, license number, and contact information of
105 the contractor, if known at the time of the application.

106 (c) The address and parcel identification number of the
107 construction project.

108 (d) The project type and occupancy classification under
109 the Florida Building Code.

110 (e) A description of the construction project, including
111 whether the project is new construction or an alteration, an
112 addition, or a repair.

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113 (f) The total square footage and the declared value of the
114 construction project.

115 (g) The architect or engineer of record, if applicable.

116 (h) The identification of any private provider services if
117 used pursuant to s. 553.791.

118 (2) The commission shall adopt by rule additional trade-
119 specific permit application forms for trades that are often
120 present on a commercial construction project, including, but not
121 limited to, electric, HVAC, plumbing, and water and sewer.

122 (3) A local enforcement agency must use and accept the
123 uniform commercial building permit application, trade-specific
124 permit applications, and other standardized forms adopted by the
125 commission. Additionally, a local enforcement agency must adopt
126 substantially similar forms for use in the local enforcement
127 agency's online software system or other electronic system that
128 is used for online permit applications. However, a local
129 enforcement agency may require additional documentation or plans
130 reasonably necessary for the applicant to demonstrate compliance
131 with the Florida Building Code or local zoning ordinances. A
132 local enforcement agency may accept by e-mail the submission of
133 a uniform commercial building permit application, a trade-
134 specific permit application, and any other standardized form
135 adopted by the commission.

136 (4) To the extent feasible, the uniform commercial
137 building permit application and trade-specific permit

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138 applications adopted by the commission must be capable of
139 integration with existing building permit software systems or
140 other public-facing systems used by local governments for the
141 submission of permit applications and must account for local
142 amendments to the Florida Building Code.

143 **Section 6. Paragraph (a) of subsection (5) and paragraph**
144 **(a) of subsection (24) of section 553.79, Florida Statutes, are**
145 **amended, and paragraph (g) is added to subsection (1) of that**
146 **section, to read:**

147 553.79 Permits; applications; issuance; inspections.-

148 (1)

149 (g) Permit fees imposed by a local enforcement agency must
150 be limited to the actual and reasonable costs incurred in
151 reviewing, processing, and administering the permit and may not
152 be based on industry standards, market rates, or comparable
153 retail pricing. Such fees must be proportional to the work
154 performed in reviewing, processing, and administering the
155 permit.

156 (5) (a) During new construction or during repair or
157 restoration projects in which the structural system or
158 structural loading of a building is being modified, the
159 enforcing agency shall require a special inspector to perform
160 structural inspections on a threshold building pursuant to a
161 structural inspection plan prepared by the engineer or architect
162 of record. The structural inspection plan must be submitted to

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163 and approved by the enforcing agency before the issuance of a
164 building permit for the construction of a threshold building.
165 The purpose of the structural inspection plan is to provide
166 specific inspection procedures and schedules so that the
167 building can be adequately inspected for compliance with the
168 permitted documents. The special inspector may not serve as a
169 surrogate in carrying out the responsibilities of the building
170 official, the architect, or the engineer of record. The
171 contractor's contractual or statutory obligations are not
172 relieved by any action of the special inspector. The special
173 inspector shall determine that a professional engineer who
174 specializes in shoring design has inspected the shoring and
175 reshoring for conformance with the shoring and reshoring plans
176 submitted to the enforcing agency. A fee simple title owner of a
177 building, which does not meet the minimum size, height,
178 occupancy, occupancy classification, or number-of-stories
179 criteria which would result in classification as a threshold
180 building as defined in s. 553.71 ~~under s. 553.71(12)~~, may
181 designate such building as a threshold building, subject to more
182 than the minimum number of inspections required by the Florida
183 Building Code.

184 (24) (a) A political subdivision of this state may not
185 adopt or enforce any ordinance or impose any building permit or
186 other development order requirement that:

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187 1. Contains any building, construction, or aesthetic
188 requirement or condition that conflicts with or impairs
189 corporate trademarks, service marks, trade dress, logos, color
190 patterns, design scheme insignia, image standards, or other
191 features of corporate branding identity on real property or
192 improvements thereon used in activities conducted under chapter
193 526 or in carrying out business activities defined as a
194 franchise by Federal Trade Commission regulations in 16 C.F.R.
195 ss. 436.1, et. seq.; ~~or~~

196 2. Imposes any requirement on the design, construction, or
197 location of signage advertising the retail price of gasoline in
198 accordance with the requirements of ss. 526.111 and 526.121
199 which prevents the signage from being clearly visible and
200 legible to drivers of approaching motor vehicles from a vantage
201 point on any lane of traffic in either direction on a roadway
202 abutting the gas station premises and meets height, width, and
203 spacing standards for Series C, D, or E signs, as applicable,
204 published in the latest edition of Standard Alphabets for
205 Highway Signs published by the United States Department of
206 Commerce, Bureau of Public Roads, Office of Highway Safety; or

207 3. Imposes a glazing requirement that results in the
208 glazing of more than 15 percent of the surface area of the
209 primary facade for the first 10 feet above the ground floor for
210 a proposed new commercial or mixed-use construction or
211 restoration project, except for individually listed or

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212 contributing structures to a National Register of Historic
213 Places district. Such glazing requirements may not be imposed or
214 enforced on any facade other than the primary facade, and such
215 glazing requirements may not be imposed or enforced on any
216 portion of the primary facade higher than the first 10 feet
217 above the ground floor. For purposes of this subparagraph, the
218 term:

219 a. "Glazing" means the installation of transparent or
220 translucent materials, including glass or similar substances, in
221 windows, doors, or storefronts. The term includes any actual or
222 faux windows to be installed to a building facade.

223 b. "Primary facade" means the single building side on
224 which the primary entrance to the building is located.

225 **Section 7. Paragraph (b) of subsection (2) of section**
226 **553.791, Florida Statutes, is amended, and paragraph (d) is**
227 **added to that subsection, to read:**

228 553.791 Alternative plans review and inspection.—

229 (2)

230 (b) If an owner or contractor retains a private provider
231 for purposes of plans review or building inspection services,
232 the local jurisdiction must reduce the permit fee by the amount
233 of cost savings realized by the local enforcement agency for not
234 having to perform such services. Such reduction may be
235 calculated on a flat fee or percentage basis, or any other
236 reasonable means by which a local enforcement agency assesses

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237 the cost for its plans review or inspection services. The local
238 jurisdiction must include the applicable reduction in the permit
239 fee on its schedule of fees posted on the local jurisdiction's
240 website. The local jurisdiction may not charge fees for building
241 inspections or plans review services if the fee owner or
242 contractor hires a private provider to perform such services;
243 however, the local jurisdiction may charge a reasonable
244 administrative fee, which shall be based on the cost that is
245 actually incurred, including the labor cost of the personnel
246 providing the service, by the local jurisdiction or attributable
247 to the local jurisdiction for the clerical and supervisory
248 assistance required, or both, so long as the fee is not punitive
249 in nature. The local jurisdiction must identify and itemize the
250 services covered by the administrative fees before charging a
251 fee owner or contractor such fees.

252 (d) If an owner or a contractor retains a private provider
253 for purposes of plans review or building inspection services for
254 a commercial construction project, the local enforcement agency
255 must reduce the permit fee by at least 25 percent of the portion
256 of the permit fee attributable to plans review or building
257 inspection services, as applicable. If an owner or a contractor
258 retains a private provider for all required plans review and
259 building inspection services, the local enforcement agency must
260 reduce the total permit fee by at least 50 percent of the amount
261 otherwise charged for such services. If a local enforcement

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262 agency does not reduce its fees by at least the percentages
263 provided in this paragraph, the local enforcement agency
264 forfeits the ability to collect any fees for the commercial
265 construction project. The surcharge required by s. 553.721 must
266 be calculated based on the reduced permit fee. This paragraph
267 does not prohibit a local enforcement agency from reducing its
268 fees in excess of the percentages provided in this paragraph.

269 **Section 8. Section 553.8992, Florida Statutes, is created**
270 **to read:**

271 553.8992 Recommendations for the incorporation of
272 standards into the Florida Building Code.—By December 31, 2026,
273 the commission shall review and make recommendations to
274 incorporate into the Florida Building Code pursuant to s.
275 553.73(1) standards for the adoption of sections 680.26(B)(1)
276 Conductive Pool Shells and 680.26(B)(2) Perimeter Surfaces of
277 the 2026 Edition of the National Electrical Code for all new
278 construction of commercial pools.

279 **Section 9. Subsection (3) of section 497.271, Florida**
280 **Statutes, is amended to read:**

281 497.271 Standards for construction and significant
282 alteration or renovation of mausoleums and columbaria.—

283 (3) The licensing authority shall transmit the rules as
284 adopted under subsection (2), referred to as the "mausoleum
285 standards," to the Florida Building Commission, which shall
286 initiate rulemaking under chapter 120 to consider such mausoleum

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287 standards. If such mausoleum standards are not deemed
288 acceptable, they must be returned by the Florida Building
289 Commission to the licensing authority with details of changes
290 needed to make them acceptable. If such mausoleum standards are
291 acceptable, the Florida Building Commission must adopt a rule
292 designating the mausoleum standards as an approved revision to
293 the State Minimum Building Codes under part IV of chapter 553.
294 When designated by the Florida Building Commission, such
295 mausoleum standards must ~~shall~~ become a required element of the
296 State Minimum Building Codes under s. 553.73(2)(a) and must
297 ~~shall~~ be transmitted to each local enforcement agency, as
298 defined in s. 553.71 ~~s. 553.71(5)~~. Such local enforcement agency
299 shall consider and inspect for compliance with such mausoleum
300 standards as if they were part of the local building code, but
301 shall have no continuing duty to inspect after final approval of
302 the construction pursuant to the local building code. Any
303 further amendments to the mausoleum standards must ~~shall~~ be
304 accomplished by the same procedure. Such designated mausoleum
305 standards, as from time to time amended, must ~~shall~~ be a part of
306 the State Minimum Building Codes under s. 553.73 until the
307 adoption and effective date of a new statewide uniform minimum
308 building code, which may supersede the mausoleum standards as
309 provided by the law enacting the new statewide uniform minimum
310 building code.

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311 **Section 10. Subsection (5) of section 553.902, Florida**
312 **Statutes, is amended to read:**

313 553.902 Definitions.—As used in this part, the term:

314 (5) "Local enforcement agency" means the agency of local
315 government which has the authority to make inspections of
316 buildings and to enforce the Florida Building Code. The term
317 includes any agency within the definition of s. 553.71(6) ~~s.~~
318 ~~553.71(5)~~.

319 **Section 11.** This act shall take effect July 1, 2026.

320

321

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

322
323 Remove everything before the enacting clause and insert:

324 A bill to be entitled

325 An act relating to commercial construction; amending
326 s. 255.0518, F.S.; requiring certain entities to open
327 certain sealed bids, whether in electronic or paper
328 form, at a public meeting conducted virtually or in
329 person; amending s. 255.0525, F.S.; authorizing the
330 solicitation of competitive bids or proposals for
331 certain construction projects to be advertised on a
332 publicly accessible website instead of in a newspaper;
333 creating s. 255.0994, F.S.; defining the terms
334 "governmental entity" and "public works project";
335 prohibiting a governmental entity from enforcing

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336 certain contract provisions for a public works
337 project; providing construction; providing for
338 severability; providing applicability; amending s.
339 553.71, F.S.; defining the term "commercial
340 construction project"; creating s. 553.789, F.S.;
341 requiring the Florida Building Commission to adopt by
342 rule a uniform commercial building permit application
343 for a specified purpose by a specified date;
344 specifying the information to be included in the
345 application; requiring the commission to adopt by rule
346 additional trade-specific permit application forms for
347 certain trades; requiring a local enforcement agency
348 to use and accept the applications and forms adopted
349 by the commission; requiring local enforcement
350 agencies to adopt substantially similar forms for a
351 certain purpose; authorizing the local enforcement
352 agency to require additional documentation or plans;
353 authorizing local enforcement agencies to accept by e-
354 mail the submission of certain applications and forms;
355 requiring, to the extent feasible, that certain
356 applications be capable of integrating with existing
357 systems and account for local amendments to the
358 Florida Building Code; amending s. 553.79, F.S.;
359 requiring permit fees that are imposed by a local
360 enforcement agency to be limited to the actual and

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361 reasonable costs incurred in reviewing, processing,
362 and administering the permit; prohibiting such fees
363 from being based on industry standards, market rates,
364 or comparable retail pricing; requiring that such fees
365 be proportional to the work performed in reviewing,
366 processing, and administering such permits;
367 prohibiting a political subdivision from imposing
368 certain requirements for glazing on certain proposed
369 construction or restoration projects; defining the
370 terms "glazing" and "primary facade"; conforming a
371 cross-reference; amending s. 553.791, F.S.; requiring
372 a local jurisdiction to include a certain reduction in
373 permit fees on its schedule of fees posted on its
374 website; prohibiting the local jurisdiction from
375 charging fees for plans review services under certain
376 circumstances; prohibiting fees punitive in nature;
377 requiring the local jurisdiction to identify and
378 itemize the services covered by the administrative
379 fees on its website; requiring the local enforcement
380 agency to reduce the permit fee by specified
381 percentages for an owner or a contractor who retains a
382 private provider for specified purposes; providing
383 that a local enforcement agency forfeits its ability
384 to collect any fees for a commercial construction
385 project if it does not reduce its fees by such

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386 specified percentages; requiring that a certain
387 surcharge be calculated based on the reduced permit
388 fee; providing construction; creating s. 553.8992,
389 F.S.; requiring the commission to review and make
390 recommendations relating to the incorporation of
391 certain standards into the Florida Building Code for
392 all new construction of commercial pools by a
393 specified date; amending ss. 497.271 and 553.902,
394 F.S.; conforming cross-references; providing an
395 effective date.

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