

1 A bill to be entitled
2 An act relating to commercial construction; amending
3 s. 255.0518, F.S.; requiring certain entities to open
4 certain sealed bids, whether in electronic or paper
5 form, at a public meeting conducted virtually or in
6 person; amending s. 255.0525, F.S.; authorizing the
7 solicitation of competitive bids or proposals for
8 certain construction projects to be advertised on a
9 publicly accessible website instead of in a newspaper;
10 creating s. 255.0994, F.S.; defining the terms
11 "governmental entity" and "public works project";
12 prohibiting a governmental entity from enforcing
13 certain contract provisions for a public works
14 project; providing construction; providing for
15 severability; providing applicability; amending s.
16 553.71, F.S.; defining the term "commercial
17 construction project"; creating s. 553.789, F.S.;
18 requiring the Florida Building Commission to adopt by
19 rule a uniform commercial building permit application
20 for a specified purpose by a specified date;
21 specifying the information to be included in the
22 application; requiring the commission to adopt by rule
23 additional trade-specific permit application forms for
24 certain trades; requiring a local enforcement agency
25 to use and accept the applications and forms adopted

26 | by the commission; requiring local enforcement
27 | agencies to adopt substantially similar forms for a
28 | certain purpose; authorizing the local enforcement
29 | agency to require additional documentation or plans;
30 | authorizing local enforcement agencies to accept by e-
31 | mail the submission of certain applications and forms;
32 | requiring, to the extent feasible, that certain
33 | applications be capable of integrating with existing
34 | systems and account for local amendments to the
35 | Florida Building Code; amending s. 553.79, F.S.;
36 | requiring permit fees that are imposed by a local
37 | enforcement agency to be limited to the actual and
38 | reasonable costs incurred in reviewing, processing,
39 | and administering the permit; prohibiting such fees
40 | from being based on industry standards, market rates,
41 | or comparable retail pricing; requiring that such fees
42 | be proportional to the work performed in reviewing,
43 | processing, and administering such permits;
44 | prohibiting a political subdivision from imposing
45 | certain requirements for glazing on certain proposed
46 | construction or restoration projects; defining the
47 | terms "glazing" and "primary facade"; conforming a
48 | cross-reference; amending s. 553.791, F.S.; requiring
49 | a local jurisdiction to include a certain reduction in
50 | permit fees on its schedule of fees posted on its

51 website; prohibiting the local jurisdiction from
52 charging fees for plans review services under certain
53 circumstances; prohibiting fees punitive in nature;
54 requiring the local jurisdiction to identify and
55 itemize the services covered by the administrative
56 fees on its website; requiring the local enforcement
57 agency to reduce the permit fee by specified
58 percentages for an owner or a contractor who retains a
59 private provider for specified purposes; providing
60 that a local enforcement agency forfeits its ability
61 to collect any fees for a commercial construction
62 project if it does not reduce its fees by such
63 specified percentages; requiring that a certain
64 surcharge be calculated based on the reduced permit
65 fee; providing construction; creating s. 553.8992,
66 F.S.; requiring the commission to review and make
67 recommendations relating to the incorporation of
68 certain standards into the Florida Building Code for
69 all new construction of commercial pools by a
70 specified date; amending ss. 497.271 and 553.902,
71 F.S.; conforming cross-references; providing an
72 effective date.

73
74 Be It Enacted by the Legislature of the State of Florida:
75

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

78 255.0518 Public bids; bid opening.—Notwithstanding s.
 79 119.071(1)(b), the state or any county or municipality thereof
 80 or any department or agency of the state, county, or
 81 municipality or any other public body or institution shall:

82 (1) Open, whether in electronic or paper format, ~~When~~
 83 ~~opening~~ sealed bids or the portion of any sealed bids which
 84 includes that include the prices ~~submitted~~ that are received
 85 pursuant to a competitive solicitation for construction or
 86 repairs on a public building or public work, ~~open the sealed~~
 87 ~~bids~~ at a public meeting conducted in person or virtually in
 88 compliance with s. 286.011.

89 Section 2. Subsection (2) of section 255.0525, Florida
 90 Statutes, is amended to read:

91 255.0525 Advertising for competitive bids or proposals.—

92 (2) The solicitation of competitive bids or proposals for
 93 any county, municipality, or other political subdivision
 94 construction project that is projected to cost more than
 95 \$200,000 must ~~shall~~ be publicly advertised at least once in a
 96 newspaper of general circulation in the county in which ~~where~~
 97 the project is located or on a publicly accessible website in
 98 accordance with s. 50.0311 at least 21 days before ~~prior to~~ the
 99 established bid opening and at least 5 days before ~~prior to~~ any
 100 scheduled prebid conference. The solicitation of competitive

101 bids or proposals for any county, municipality, or other
102 political subdivision construction project that is projected to
103 cost more than \$500,000 must ~~shall~~ be publicly advertised at
104 least once in a newspaper of general circulation in the county
105 in which where the project is located or on a publicly
106 accessible website in accordance with s. 50.0311 at least 30
107 days before ~~prior to~~ the established bid opening and at least 5
108 days before ~~prior to~~ any scheduled prebid conference. Bids or
109 proposals must ~~shall~~ be received and opened at the location,
110 date, and time established in the bid or proposal advertisement.
111 In cases of emergency, the procedures required in this section
112 may be altered by the local governmental entity in any manner
113 that is reasonable under the emergency circumstances.

114 Section 3. Section 255.0994, Florida Statutes, is created
115 to read:

116 255.0994 Public works projects; unenforceability of
117 certain contract provisions regarding delays.-

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

119 (a) "Governmental entity" has the same meaning as in s.
120 255.0993(1).

121 (b) "Public works project" has the same meaning as in s.
122 255.0992(1).

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

126 (a) Enforce any contract provision that eliminates or
127 limits the contractor's right to receive compensation for
128 damages and increased costs, equitable adjustments, or time
129 extensions due to a delay in performance of the contract if the
130 delay was caused by the acts or omissions of the governmental
131 entity or any agent, employee, or person acting on behalf of the
132 governmental entity.

133 (b) Enforce any contract provision that eliminates or
134 limits the contractor's right to receive time extensions for any
135 day during which a delay caused by the acts or omissions of the
136 governmental entity or any agent, employee, or person acting on
137 behalf of the governmental entity overlaps with a delay caused
138 by the acts or omissions of the contractor or his or her
139 subcontractors, agents, or employees.

140 (3) This section may not be construed to render
141 unenforceable a provision of a contract for a public works
142 project which:

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

145 (b) Allows a governmental entity to recover damages for a
146 delay if the delay was caused by the acts or omissions of the
147 contractor or his or her subcontractors, agents, or employees;
148 or

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

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

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

157 Section 4. Present subsections (1) through (12) of section
158 553.71, Florida Statutes, are redesignated as subsections (2)
159 through (13), respectively, and a new subsection (1) is added to
160 that section, to read:

161 553.71 Definitions.—As used in this part, the term:

162 (1) "Commercial construction project" means the
163 construction, alteration, or repair of a building or structure
164 that is primarily intended for business, industrial,
165 institutional, or mercantile use and is not classified as
166 residential under the Florida Building Code.

167 Section 5. Section 553.789, Florida Statutes, is created
168 to read:

169 553.789 Uniform commercial building permit application.—

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

174 (a) The name and contact information of the property
175 owner.

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

178 (c) The address and parcel identification number of the
179 construction project.

180 (d) The project type and occupancy classification under
181 the Florida Building Code.

182 (e) A description of the construction project, including
183 whether the project is new construction or an alteration, an
184 addition, or a repair.

185 (f) The total square footage and the declared value of the
186 construction project.

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

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

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

194 (3) A local enforcement agency must use and accept the
195 uniform commercial building permit application, trade-specific
196 permit applications, and other standardized forms adopted by the
197 commission. Additionally, a local enforcement agency must adopt
198 substantially similar forms for use in the local enforcement
199 agency's online software system or other electronic system that
200 is used for online permit applications. However, a local

201 enforcement agency may require additional documentation or plans
202 reasonably necessary for the applicant to demonstrate compliance
203 with the Florida Building Code or local zoning ordinances. A
204 local enforcement agency may accept by e-mail the submission of
205 a uniform commercial building permit application, a trade-
206 specific permit application, and any other standardized form
207 adopted by the commission.

208 (4) To the extent feasible, the uniform commercial
209 building permit application and trade-specific permit
210 applications adopted by the commission must be capable of
211 integration with existing building permit software systems or
212 other public-facing systems used by local governments for the
213 submission of permit applications and must account for local
214 amendments to the Florida Building Code.

215 Section 6. Paragraph (a) of subsection (5) and paragraph
216 (a) of subsection (24) of section 553.79, Florida Statutes, are
217 amended, and paragraph (g) is added to subsection (1) of that
218 section, to read:

219 553.79 Permits; applications; issuance; inspections.—

220 (1)

221 (g) Permit fees imposed by a local enforcement agency must
222 be limited to the actual and reasonable costs incurred in
223 reviewing, processing, and administering the permit and may not
224 be based on industry standards, market rates, or comparable
225 retail pricing. Such fees must be proportional to the work

226 | performed in reviewing, processing, and administering the
227 | permit.

228 | (5) (a) During new construction or during repair or
229 | restoration projects in which the structural system or
230 | structural loading of a building is being modified, the
231 | enforcing agency shall require a special inspector to perform
232 | structural inspections on a threshold building pursuant to a
233 | structural inspection plan prepared by the engineer or architect
234 | of record. The structural inspection plan must be submitted to
235 | and approved by the enforcing agency before the issuance of a
236 | building permit for the construction of a threshold building.
237 | The purpose of the structural inspection plan is to provide
238 | specific inspection procedures and schedules so that the
239 | building can be adequately inspected for compliance with the
240 | permitted documents. The special inspector may not serve as a
241 | surrogate in carrying out the responsibilities of the building
242 | official, the architect, or the engineer of record. The
243 | contractor's contractual or statutory obligations are not
244 | relieved by any action of the special inspector. The special
245 | inspector shall determine that a professional engineer who
246 | specializes in shoring design has inspected the shoring and
247 | reshoring for conformance with the shoring and reshoring plans
248 | submitted to the enforcing agency. A fee simple title owner of a
249 | building, which does not meet the minimum size, height,
250 | occupancy, occupancy classification, or number-of-stories

251 criteria which would result in classification as a threshold
252 building as defined in s. 553.71 ~~under s. 553.71(12)~~, may
253 designate such building as a threshold building, subject to more
254 than the minimum number of inspections required by the Florida
255 Building Code.

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

259 1. Contains any building, construction, or aesthetic
260 requirement or condition that conflicts with or impairs
261 corporate trademarks, service marks, trade dress, logos, color
262 patterns, design scheme insignia, image standards, or other
263 features of corporate branding identity on real property or
264 improvements thereon used in activities conducted under chapter
265 526 or in carrying out business activities defined as a
266 franchise by Federal Trade Commission regulations in 16 C.F.R.
267 ss. 436.1, et. seq.; ~~or~~

268 2. Imposes any requirement on the design, construction, or
269 location of signage advertising the retail price of gasoline in
270 accordance with the requirements of ss. 526.111 and 526.121
271 which prevents the signage from being clearly visible and
272 legible to drivers of approaching motor vehicles from a vantage
273 point on any lane of traffic in either direction on a roadway
274 abutting the gas station premises and meets height, width, and
275 spacing standards for Series C, D, or E signs, as applicable,

276 published in the latest edition of Standard Alphabets for
277 Highway Signs published by the United States Department of
278 Commerce, Bureau of Public Roads, Office of Highway Safety; or
279 3. Imposes a glazing requirement that results in the
280 glazing of more than 15 percent of the surface area of the
281 primary facade for the first 10 feet above the ground floor for
282 a proposed new commercial or mixed-use construction or
283 restoration project, except for individually listed or
284 contributing structures to a National Register of Historic
285 Places district. Such glazing requirements may not be imposed or
286 enforced on any facade other than the primary facade, and such
287 glazing requirements may not be imposed or enforced on any
288 portion of the primary facade higher than the first 10 feet
289 above the ground floor. For purposes of this subparagraph, the
290 term:

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

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

297 Section 7. Paragraph (b) of subsection (2) of section
298 553.791, Florida Statutes, is amended, and paragraph (d) is
299 added to that subsection, to read:

300 553.791 Alternative plans review and inspection.—

301 (2)

302 (b) If an owner or contractor retains a private provider
303 for purposes of plans review or building inspection services,
304 the local jurisdiction must reduce the permit fee by the amount
305 of cost savings realized by the local enforcement agency for not
306 having to perform such services. Such reduction may be
307 calculated on a flat fee or percentage basis, or any other
308 reasonable means by which a local enforcement agency assesses
309 the cost for its plans review or inspection services. The local
310 jurisdiction must include the applicable reduction in the permit
311 fee on its schedule of fees posted on the local jurisdiction's
312 website. The local jurisdiction may not charge fees for building
313 inspections or plans review services if the fee owner or
314 contractor hires a private provider to perform such services;
315 however, the local jurisdiction may charge a reasonable
316 administrative fee, which shall be based on the cost that is
317 actually incurred, including the labor cost of the personnel
318 providing the service, by the local jurisdiction or attributable
319 to the local jurisdiction for the clerical and supervisory
320 assistance required, or both, so long as the fee is not punitive
321 in nature. The local jurisdiction must identify and itemize the
322 services covered by the administrative fees before charging a
323 fee owner or contractor such fees.

324 (d) If an owner or a contractor retains a private provider
325 for purposes of plans review or building inspection services for

326 a commercial construction project, the local enforcement agency
327 must reduce the permit fee by at least 25 percent of the portion
328 of the permit fee attributable to plans review or building
329 inspection services, as applicable. If an owner or a contractor
330 retains a private provider for all required plans review and
331 building inspection services, the local enforcement agency must
332 reduce the total permit fee by at least 50 percent of the amount
333 otherwise charged for such services. If a local enforcement
334 agency does not reduce its fees by at least the percentages
335 provided in this paragraph, the local enforcement agency
336 forfeits the ability to collect any fees for the commercial
337 construction project. The surcharge required by s. 553.721 must
338 be calculated based on the reduced permit fee. This paragraph
339 does not prohibit a local enforcement agency from reducing its
340 fees in excess of the percentages provided in this paragraph.

341 Section 8. Section 553.8992, Florida Statutes, is created
342 to read:

343 553.8992 Recommendations for the incorporation of
344 standards into the Florida Building Code.—By December 31, 2026,
345 the commission shall review and make recommendations to
346 incorporate into the Florida Building Code pursuant to s.
347 553.73(1) standards for the adoption of sections 680.26(B)(1)
348 Conductive Pool Shells and 680.26(B)(2) Perimeter Surfaces of
349 the 2026 Edition of the National Electrical Code for all new
350 construction of commercial pools.

351 Section 9. Subsection (3) of section 497.271, Florida
 352 Statutes, is amended to read:

353 497.271 Standards for construction and significant
 354 alteration or renovation of mausoleums and columbaria.—

355 (3) The licensing authority shall transmit the rules as
 356 adopted under subsection (2), referred to as the "mausoleum
 357 standards," to the Florida Building Commission, which shall
 358 initiate rulemaking under chapter 120 to consider such mausoleum
 359 standards. If such mausoleum standards are not deemed
 360 acceptable, they must be returned by the Florida Building
 361 Commission to the licensing authority with details of changes
 362 needed to make them acceptable. If such mausoleum standards are
 363 acceptable, the Florida Building Commission must adopt a rule
 364 designating the mausoleum standards as an approved revision to
 365 the State Minimum Building Codes under part IV of chapter 553.
 366 When designated by the Florida Building Commission, such
 367 mausoleum standards must ~~shall~~ become a required element of the
 368 State Minimum Building Codes under s. 553.73(2)(a) and must
 369 ~~shall~~ be transmitted to each local enforcement agency, as
 370 defined in s. 553.71 ~~s. 553.71(5)~~. Such local enforcement agency
 371 shall consider and inspect for compliance with such mausoleum
 372 standards as if they were part of the local building code, but
 373 shall have no continuing duty to inspect after final approval of
 374 the construction pursuant to the local building code. Any
 375 further amendments to the mausoleum standards must ~~shall~~ be

376 accomplished by the same procedure. Such designated mausoleum
377 standards, as from time to time amended, must ~~shall~~ be a part of
378 the State Minimum Building Codes under s. 553.73 until the
379 adoption and effective date of a new statewide uniform minimum
380 building code, which may supersede the mausoleum standards as
381 provided by the law enacting the new statewide uniform minimum
382 building code.

383 Section 10. Subsection (5) of section 553.902, Florida
384 Statutes, is amended to read:

385 553.902 Definitions.—As used in this part, the term:

386 (5) "Local enforcement agency" means the agency of local
387 government which has the authority to make inspections of
388 buildings and to enforce the Florida Building Code. The term
389 includes any agency within the definition of s. 553.71(6) ~~s.~~
390 ~~553.71(5)~~.

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