

A bill to be entitled
An act relating to building permits and inspections; amending s. 125.56, F.S.; providing for expiration of certain building permits issued by a county; amending s. 489.129, F.S.; providing that certain persons are not subject to discipline for performing a job without applicable permits and inspections if otherwise authorized by law; amending s. 553.79, F.S.; providing for expiration of certain building permits issued by a local government; providing prohibitions for inspection fees; prohibiting a local government from requiring building permits for certain projects; providing an exception; requiring certain contractors to maintain certain records for a specified time period; prohibiting local governments from requiring a building permit for the installation of temporary residential hurricane and flood protection walls or barriers that meet certain requirements; prohibiting local governments from requiring a building permit for the installation of certain retaining walls; amending s. 553.791, F.S.; revising and providing definitions; removing the requirement that a contract for certain services be in writing; providing that a contract for certain services does not need to be submitted as part of a permit application; providing requirements for

26 reduced permit fees; prohibiting a local jurisdiction
27 from charging punitive administrative fees or fees for
28 plans review services; requiring that certain
29 documents be promptly provided to certain persons;
30 prohibiting local governments and local building
31 officials from requiring additional forms; requiring
32 local enforcement agencies to create a specified
33 registration system that must have a method to
34 register and update registration information
35 electronically; prohibiting local enforcement agencies
36 from charging an administrative fee to register or
37 update registration information; requiring private
38 provider firms to register with the local enforcement
39 agency, provide certain information, and update its
40 registration within a specified timeframe after
41 changes occur; prohibiting local enforcement agencies
42 from altering a form adopted by the commission;
43 removing the requirement that a private provider's
44 qualification statements or resumes be included in a
45 certain notice; removing time restrictions for
46 electing to use a private provider; requiring local
47 enforcement agencies to accept a certain affidavit
48 electronically; providing which forms and documents a
49 local building official may review; providing notice
50 requirements; providing that certain permits are

51 deemed approved; providing that local enforcement
52 agencies are not responsible for the administration or
53 supervision of services performed by a private
54 provider; prohibiting local enforcement agencies from
55 requiring additional verification of certain
56 requirements beyond that which is required at
57 registration; revising the timeframe in which certain
58 records must be provided; prohibiting local building
59 officials from failing certain inspections;
60 authorizing certain persons to sign certificates of
61 compliance; providing requirements for local building
62 officials who have actual knowledge that a private
63 provider failed to perform an inspection; providing
64 that virtual inspections may not be prohibited;
65 requiring certain notice before an audit; prohibiting
66 certain entities from discouraging the use of private
67 providers; authorizing certain public entities to use
68 a private provider firm or to employ a licensed
69 building inspector to provide building code inspection
70 services; amending s. 553.792, F.S.; requiring a local
71 government to make certain decisions relating to
72 certain building permits within a specified timeframe;
73 amending s. 553.77, F.S.; requiring the Florida
74 Building Commission to develop uniform commercial and
75 residential building permit applications by a

76 specified date; amending s. 720.3035, F.S.;
77 prohibiting an association or certain committees from
78 requiring a building permit as a prerequisite for a
79 certain review; providing an effective date.

80

81 Be It Enacted by the Legislature of the State of Florida:

82

83 **Section 1. Paragraph (d) of subsection (4) of section**
84 **125.56, Florida Statutes, is amended to read:**

85 125.56 Enforcement and amendment of the Florida Building
86 Code and the Florida Fire Prevention Code; inspection fees;
87 inspectors; etc.—

88 (4)

89 (d) A county that issues building permits may send a
90 written notice of expiration, by e-mail or United States Postal
91 Service, to the owner of the property and the contractor listed
92 on the permit, no less than 30 days before a building permit is
93 set to expire. The written notice must identify the permit that
94 is set to expire and the date the permit will expire. A building
95 permit issued by a county for a single-family dwelling expires 1
96 year after the issuance of the permit or on the effective date
97 of the next edition of the Florida Building Code, whichever is
98 later.

99 **Section 2. Paragraph (o) of subsection (1) of section**
100 **489.129, Florida Statutes, is amended to read:**

101 489.129 Disciplinary proceedings.—

102 (1) The board may take any of the following actions
103 against any certificateholder or registrant: place on probation
104 or reprimand the licensee, revoke, suspend, or deny the issuance
105 or renewal of the certificate or registration, require financial
106 restitution to a consumer for financial harm directly related to
107 a violation of a provision of this part, impose an
108 administrative fine not to exceed \$10,000 per violation, require
109 continuing education, or assess costs associated with
110 investigation and prosecution, if the contractor, financially
111 responsible officer, or business organization for which the
112 contractor is a primary qualifying agent, a financially
113 responsible officer, or a secondary qualifying agent responsible
114 under s. 489.1195 is found guilty of any of the following acts:

115 (o) Proceeding on any job without obtaining applicable
116 local building department permits and inspections, unless
117 otherwise provided by law.

118
119 For the purposes of this subsection, construction is considered
120 to be commenced when the contract is executed and the contractor
121 has accepted funds from the customer or lender. A contractor
122 does not commit a violation of this subsection when the
123 contractor relies on a building code interpretation rendered by
124 a building official or person authorized by s. 553.80 to enforce
125 the building code, absent a finding of fraud or deceit in the

126 practice of contracting, or gross negligence, repeated
127 negligence, or negligence resulting in a significant danger to
128 life or property on the part of the building official, in a
129 proceeding under chapter 120.

130 **Section 3. Paragraphs (a), (b), (c), and (f) of subsection**
131 **(1) of section 553.79, Florida Statutes, are amended, and**
132 **paragraphs (g), (h), and (i) are added to that subsection, to**
133 **read:**

134 553.79 Permits; applications; issuance; inspections.—
135 (1) (a) Unless otherwise provided by law, after the
136 effective date of the Florida Building Code adopted as herein
137 provided, it shall be unlawful for any person, firm,
138 corporation, or governmental entity to construct, erect, alter,
139 modify, repair, or demolish any building within this state
140 without first obtaining a permit therefor from the appropriate
141 enforcing agency or from such persons as may, by appropriate
142 resolution or regulation of the authorized state or local
143 enforcing agency, be delegated authority to issue such permits,
144 upon the payment of such reasonable fees adopted by the
145 enforcing agency. The enforcing agency is empowered to revoke
146 any such permit upon a determination by the agency that the
147 construction, erection, alteration, modification, repair, or
148 demolition of the building for which the permit was issued is in
149 violation of, or not in conformity with, the provisions of the
150 Florida Building Code. Whenever a permit required under this

151 section is denied or revoked because the plan, or the
152 construction, erection, alteration, modification, repair, or
153 demolition of a building, is found by the local enforcing agency
154 to be not in compliance with the Florida Building Code, the
155 local enforcing agency shall identify the specific plan or
156 project features that do not comply with the applicable codes,
157 identify the specific code chapters and sections upon which the
158 finding is based, and provide this information to the permit
159 applicant. A plans reviewer or building code administrator who
160 is responsible for issuing a denial, revocation, or modification
161 request but fails to provide to the permit applicant a reason
162 for denying, revoking, or requesting a modification, based on
163 compliance with the Florida Building Code or local ordinance, is
164 subject to disciplinary action against his or her license
165 pursuant to s. 468.621(1)(i). Installation, replacement,
166 removal, or metering of any load management control device is
167 exempt from and shall not be subject to the permit process and
168 fees otherwise required by this section.

169 (b) A local enforcement agency shall post each type of
170 building permit application, as adopted by the commission,
171 including a list of all required attachments, drawings, or other
172 requirements for each type of application, on its website. A
173 local enforcement agency must post and update the status of
174 every received application on its website until the issuance of
175 the building permit. A local enforcement agency must allow

176 applicants to submit completed applications, including payments,
177 attachments, drawings, or other requirements or parts of the
178 ~~completed~~ permit application, ~~must be able to be submitted~~
179 electronically to the appropriate building department. Accepted
180 methods of electronic submission include, but are not limited
181 to, e-mail submission of applications in Portable Document
182 Format or submission of applications through an electronic fill-
183 in form available on the building department's website or
184 through a third-party submission management software. A building
185 official, at his or her discretion, may accept completed
186 applications, including payments, attachments, drawings, or
187 other requirements or parts of the ~~completed~~ permit application,
188 ~~may also be submitted~~ in person in a nonelectronic format, ~~at~~
189 ~~the discretion of the building official.~~

190 (c) A local government that issues building permits may
191 send a written notice of expiration, by e-mail or United States
192 Postal Service, to the owner of the property and the contractor
193 listed on the permit, no less than 30 days before a building
194 permit is set to expire. The written notice must identify the
195 permit that is set to expire and the date the permit will
196 expire. A building permit issued by a local government for a
197 single-family dwelling expires 1 year after the issuance of the
198 permit or on the effective date of the next edition of the
199 Florida Building Code, whichever is later.

200 (f) A local government may not require a contract between

201 a builder and an owner, any copies of such contract, or any
202 associated document, including, but not limited to, letters of
203 intent, material costs lists, labor costs, or overhead or profit
204 statements, for the issuance of a building permit or as a
205 requirement for the submission of a building permit application.
206 Inspection fees may not be based on the total cost of a project
207 and may not exceed the actual inspection costs incurred by the
208 local enforcement agency.

209 (g)1. A local government that issues building permits may
210 not require an owner of a single-family dwelling or the owner's
211 contractor to obtain a building permit to perform any work that
212 is valued at less than \$7,500 on the single-family dwelling's
213 lot. However, a local government may require a building permit
214 for any electrical, plumbing, or structural work, not including
215 the repair or replacement of exterior doors or windows,
216 performed on a lot containing a single-family dwelling
217 regardless of the value of the work.

218 2. A contractor who performs work that does not require a
219 building permit under this paragraph must maintain for at least
220 5 years a written record of the work performed, the property
221 address at which the work was performed, and the value of such
222 work as proof that such work complies with subparagraph 1.

223 (h)1. A local government that issues building permits may
224 not require an owner of a single-family dwelling or the owner's
225 contractor to obtain a building permit for the installation of

226 temporary residential hurricane and flood protection walls or
227 barriers that meet all of the following conditions:

228 a. The wall or barrier is nonhabitable and nonload-
229 bearing.

230 b. The wall or barrier is installed on the residential
231 property of a single-family or two-family dwelling or townhouse.

232 c. The wall or barrier is constructed to mitigate or
233 prevent storm surge or floodwaters from entering a structure or
234 property.

235 d. The wall or barrier is installed by a contractor
236 licensed under part I of chapter 489.

237 e. The wall or barrier complies with applicable local
238 zoning, drainage, easement, and setback requirements.

239 2. The commission may adopt rules under s. 120.54 to
240 incorporate necessary standards to implement this paragraph.

241 (i) A local government that issues building permits may
242 not require a building permit for each lot or parcel upon which
243 a retaining wall is installed on the property of a single-family
244 or two-family residential dwelling or a townhouse.

245 **Section 4. Section 553.791, Florida Statutes, is amended**
246 **to read:**

247 553.791 Alternative plans review and inspection.—

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

249 (a) "Applicable codes" means the Florida Building Code and
250 any local technical amendments to the Florida Building Code but

251 does not include the applicable minimum fire prevention and
252 firesafety codes adopted pursuant to chapter 633.

253 (b) "Audit" means the process to confirm that the building
254 code inspection services have been performed by the private
255 provider, including ensuring that the required affidavit for the
256 plan review has been properly completed and submitted with the
257 permit documents and that the minimum mandatory inspections
258 required under the building code have been performed and
259 properly recorded. The local building official may not replicate
260 the plan review or inspection being performed by the private
261 provider, unless expressly authorized by this section.

262 (c) "Building" means any construction, erection,
263 alteration, demolition, or improvement of, or addition to, any
264 structure or site work for which permitting by a local
265 enforcement agency is required.

266 (d) "Building code inspection services" means those
267 services described in s. 468.603(5) and (8) involving the review
268 of building plans as well as those services involving the review
269 of site plans and site work engineering plans or their
270 functional equivalent, to determine compliance with applicable
271 codes and those inspections required by law, conducted either in
272 person or virtually, of each phase of construction for which
273 permitting by a local enforcement agency is required to
274 determine compliance with applicable codes.

275 (e) "Deliver" or "delivery" means any method of delivery

276 used in conventional business or commercial practice, including
277 delivery by electronic transmissions such as e-mail or
278 submission through an electronic fill-in form available on the
279 building department's website or through a third-party
280 submission management software.

281 (f) "Duly authorized representative" means an agent of the
282 private provider identified in the permit application who
283 reviews plans or performs inspections as provided by this
284 section and who is licensed as an engineer under chapter 471 or
285 as an architect under chapter 481 or who holds a standard or
286 provisional certificate under part XII of chapter 468. A duly
287 authorized representative who only holds a provisional
288 certificate under part XII of chapter 468 must be under the
289 direct supervision of a person licensed as a building code
290 administrator under part XII of chapter 468.

291 (g) "Electronic signature" means any letters, characters,
292 or symbols manifested by electronic or similar means which are
293 executed or adopted by a party with an intent to authenticate a
294 writing or record.

295 (h) "Electronic transmission" or "submitted
296 electronically" means any form or process of communication not
297 directly involving the physical transfer of paper or another
298 tangible medium which is suitable for the retention, retrieval,
299 and reproduction of information by the recipient and is
300 retrievable in paper form by the receipt through an automated

301 process. All notices, documents, and applications provided for
302 in this section may be transmitted electronically and shall have
303 the same legal effect as if physically posted or mailed.

304 (i) "Electronically posted" means providing notices of
305 decisions, results, or records, including inspection records,
306 through the use of a website or other form of electronic
307 communication used to transmit or display information.

308 (j) "Immediate threat to public safety and welfare" means
309 a building code violation that, if allowed to persist,
310 constitutes an immediate hazard that could result in death,
311 serious bodily injury, or significant property damage. This
312 paragraph does not limit the authority of the local building
313 official to issue a Notice of Corrective Action at any time
314 during the construction of a building project or any portion of
315 such project if the official determines that a condition of the
316 building or portion thereof may constitute a hazard when the
317 building is put into use following completion as long as the
318 condition cited is shown to be in violation of the building code
319 or approved plans.

320 (k) "Local building official" means the individual within
321 the governing jurisdiction responsible for direct regulatory
322 administration or supervision of plans review, enforcement, and
323 inspection of any construction, erection, alteration,
324 demolition, or substantial improvement of, or addition to, any
325 structure for which permitting is required to indicate

326 compliance with applicable codes and includes any duly
327 authorized designee of such person.

328 (l) "Permit application" means a properly completed and
329 submitted application for the requested building or construction
330 permit, including:

331 1. The plans reviewed by the private provider, or in the
332 case of a single-trade plans review where a private provider
333 uses an automated or software-based plans review system pursuant
334 to subsection (7) (6), the information reviewed by the automated
335 or software-based plans review system to determine compliance
336 with one or more applicable codes.

337 2. The affidavit from the private provider required under
338 subsection (7) (6).

339 3. Any applicable fees.

340 4. Any documents required by the local building official
341 to determine that the fee owner has secured all other government
342 approvals required by law.

343 (m) "Plans" means building plans, site engineering plans,
344 or site plans, or their functional equivalent, submitted by a
345 fee owner or fee owner's contractor to a private provider or
346 duly authorized representative for review.

347 (n) "Private provider" means a person licensed as a
348 building code administrator under part XII of chapter 468, as an
349 engineer under chapter 471, or as an architect under chapter
350 481. For purposes of performing inspections under this section

351 for additions and alterations that are limited to 1,000 square
352 feet or less to residential buildings, the term "private
353 provider" also includes a person who holds a standard
354 certificate under part XII of chapter 468.

355 (o) "Private provider firm" means a business organization,
356 including a corporation, partnership, business trust, or other
357 legal entity, which offers services under this chapter to the
358 public through licensees who are acting as agents, employees,
359 officers, or partners of the firm. A person who is licensed as a
360 building code administrator under part XII of chapter 468, an
361 engineer under chapter 471, or an architect under chapter 481
362 may act as a private provider for an agent, employee, or officer
363 of the private provider firm.

364 (p) "Registration" means the roster of authorized private
365 provider firms held by each local enforcement agency.

366 (q)-(p) "Request for certificate of occupancy or
367 certificate of completion" means a properly completed and
368 executed application for:

369 1. A certificate of occupancy or certificate of
370 completion.

371 2. A certificate of compliance from the private provider
372 required under subsection (15) ~~(13)~~.

373 3. Any applicable fees.

374 4. Any documents required by the local building official
375 to determine that the fee owner has secured all other government

376 approvals required by law.

377 (r)-(q) "Single-trade inspection" or "single-trade plans

378 review" means any inspection or plans review focused on a single

379 construction trade, such as plumbing, mechanical, or electrical.

380 The term includes, but is not limited to, inspections or plans

381 reviews of door or window replacements; fences and block walls

382 more than 6 feet high from the top of the wall to the bottom of

383 the footing; stucco or plastering; reroofing with no structural

384 alteration; solar energy and energy storage installations or

385 alterations; HVAC replacements; ductwork or fan replacements;

386 alteration or installation of wiring, lighting, and service

387 panels; water heater changeouts; sink replacements; and

388 repiping.

389 (s)-(r) "Site work" means the portion of a construction

390 project that is not part of the building structure, including,

391 but not limited to, grading, excavation, landscape irrigation,

392 and installation of driveways.

393 (t)-(s) "Stop-work order" means the issuance of any written

394 statement, written directive, or written order which states the

395 reason for the order and the conditions under which the cited

396 work will be permitted to resume.

397 (2) (a) Notwithstanding any other law or local government

398 ordinance or local policy, the fee owner of a building or

399 structure, or the fee owner's contractor upon written

400 authorization from the fee owner, may choose to use a private

401 provider to provide plans review or building code inspection
402 services with regard to such building or structure and may make
403 payment directly to the private provider for the provision of
404 such services. All such services shall be the subject of a
405 ~~written~~ contract between the private provider, or the private
406 provider's firm, and the fee owner or the fee owner's
407 contractor, upon written authorization of the fee owner. The
408 local enforcement agency may not require the contract to be
409 provided as part of the permit application or as a condition for
410 issuing a permit. The fee owner may elect to use a private
411 provider to provide plans review or required building
412 inspections, or both. However, if the fee owner or the fee
413 owner's contractor uses a private provider to provide plans
414 review, the local building official, in his or her discretion
415 and pursuant to duly adopted policies of the local enforcement
416 agency, may require the fee owner or the fee owner's contractor
417 to use a private provider to also provide required building
418 inspections.

419 (b) If a fee an owner or the fee owner's contractor
420 retains a private provider for purposes of plans review or
421 building inspection services, the local jurisdiction must reduce
422 the permit fee by the amount of cost savings realized by the
423 local enforcement agency for not having to perform such
424 services. Such reduction may be calculated on a flat fee or
425 percentage basis, or any other reasonable means by which a local

426 enforcement agency assesses the cost for its plans review or
427 inspection services. The permit fee must be based on the cost
428 incurred by the local jurisdiction, including the labor cost of
429 the personnel providing such services and the clerical and
430 supervisory assistance required to comply with this section. The
431 local jurisdiction may not charge fees for plans review or
432 building inspections if the fee owner or the fee owner's
433 contractor hires a private provider to perform such services. The local enforcement agency may not charge punitive
434 administrative fees when a fee owner has chosen to work with a
435 private provider; however, the local jurisdiction may charge a
436 reasonable administrative fee, which shall be based on the cost
437 that is actually incurred, including the labor cost of the
438 personnel providing the service, by the local jurisdiction or
439 attributable to the local jurisdiction for the clerical and
440 supervisory assistance required, or both.

442 (c) If a fee an owner or the fee owner's a contractor
443 retains a private provider for purposes of plans review or
444 building inspection services, the local jurisdiction must
445 provide equal access to all permitting and inspection documents
446 and reports to the private provider, owner, and contractor if
447 such access is provided by software that protects exempt records
448 from disclosure. Access to these documents must be promptly
449 provided.

450 (d) A local government or local building official may not

451 require additional forms beyond those required at registration,
452 except for the written notice required under subsection (5), if
453 a fee owner or the fee owner's contractor uses a private
454 provider.

455 (3) A private provider and any duly authorized
456 representative may only perform building code inspection
457 services that are within the disciplines covered by that
458 person's licensure or certification under chapter 468, chapter
459 471, or chapter 481, including single-trade inspections. A
460 private provider may not provide building code inspection
461 services pursuant to this section upon any building designed or
462 constructed by the private provider or the private provider's
463 firm.

464 (4) A local enforcement agency must create a registration
465 system for private providers and private provider firms working
466 in the local enforcement agency's jurisdiction. A local
467 enforcement agency must have a method to register and update
468 registration information electronically. The local enforcement
469 agency may not charge an administrative fee for registration or
470 updates to a registration. The private provider or private
471 provider firm must provide its contact information and verify
472 compliance with the licensure requirements of paragraph (1)(n)
473 or paragraph (1)(o), as applicable, and the insurance
474 requirements of subsection (20). The private provider or private
475 provider firm must register with the local enforcement agency in

476 the jurisdiction in which the provider or firm is working before
477 contracting to provide services in such jurisdiction. The
478 private provider or private provider firm must update its
479 registration within 5 business days after any change to the
480 provider's or firm's contact information, licensure, or
481 insurance coverage.

482 (5)(4) A fee owner or the fee owner's contractor using a
483 private provider to provide building code inspection services
484 shall notify the local building official in writing at the time
485 of permit application, or by 2 p.m. local time, 2 business days
486 before the first scheduled inspection by the local building
487 official or building code enforcement agency that a private
488 provider has been contracted to perform the required inspections
489 of construction under this section, including single-trade
490 inspections, on a form ~~to be~~ adopted by the commission. The
491 local enforcement agency may not alter the form. This notice
492 must shall include the following information:

493 (a) The services to be performed by the private provider.
494 (b) The name, firm, address, telephone number, and e-mail
495 address of each private provider who is performing or will
496 perform such services, his or her professional license or
497 certification number, ~~qualification statements or resumes~~, and,
498 if required by the local building official, a certificate of
499 insurance demonstrating that professional liability insurance
500 coverage is in place for the private provider's firm, the

501 private provider, and any duly authorized representative in the
502 amounts required by this section.

503 (c) An acknowledgment from the fee owner or the fee
504 owner's contractor in substantially the following form:

506 I have elected to use one or more private providers to
507 provide building code plans review and/or inspection
508 services on the building or structure that is the
509 subject of the enclosed permit application, as
510 authorized by s. 553.791, Florida Statutes. I
511 understand that the local building official may not
512 review the plans submitted or perform the required
513 building inspections to determine compliance with the
514 applicable codes, except to the extent specified in
515 said law. Instead, plans review and/or required
516 building inspections will be performed by licensed or
517 certified personnel identified in the application. The
518 law requires minimum insurance requirements for such
519 personnel, but I understand that I may require more
520 insurance to protect my interests. By executing this
521 form, I acknowledge that I have made inquiry regarding
522 the competence of the licensed or certified personnel
523 and the level of their insurance and am satisfied that
524 my interests are adequately protected. I agree to
525 indemnify, defend, and hold harmless the local

526 government, the local building official, and their
527 building code enforcement personnel from any and all
528 claims arising from my use of these licensed or
529 certified personnel to perform building code
530 inspection services with respect to the building or
531 structure that is the subject of the enclosed permit
532 application.

533
534 If the fee owner or the fee owner's contractor makes any changes
535 to the listed private providers or the services to be provided
536 by those private providers, the fee owner or the fee owner's
537 contractor shall, within 1 business day after any change or
538 within 2 business days before the next scheduled inspection,
539 update the notice to reflect such changes. A change of a duly
540 authorized representative named in the permit application does
541 not require a revision of the permit, and the building code
542 enforcement agency shall not charge a fee for making the change.

543 (6)-(5) After construction has commenced ~~and if either the~~
544 ~~local building official is unable to provide inspection services~~
545 ~~in a timely manner or the work subject to inspection is related~~
546 ~~to a single-trade inspection for a single-family or two-family~~
547 ~~dwelling, the fee owner or the fee owner's contractor may elect~~
548 ~~to use a private provider to provide inspection services for a~~
549 ~~single-trade inspection for a single-family or two-family~~
550 ~~dwelling by notifying the local building official of the owner's~~

551 or contractor's intention to do so ~~by 2 p.m. local time, 2~~
552 ~~business days~~ before the next scheduled inspection using the
553 notice provided for in paragraphs (5)(a)-(c) ~~(4)(a)-(e)~~.

554 (7)(e) A private provider performing plans review under
555 this section shall review the plans to determine compliance with
556 the applicable codes. For single-trade plans reviews, a private
557 provider may use an automated or software-based plans review
558 system designed to determine compliance with one or more
559 applicable codes, including, but not limited to, the National
560 Electrical Code and the Florida Building Code. Upon determining
561 that the plans reviewed comply with the applicable codes, the
562 private provider shall prepare an affidavit or affidavits
563 certifying, under oath, that the following is true and correct
564 to the best of the private provider's knowledge and belief:

565 (a) The plans were reviewed by the affiant, who is duly
566 authorized to perform plans review pursuant to this section and
567 holds the appropriate license or certificate.

568 (b) The plans comply with the applicable codes.

569
570 Such affidavit may bear a written or electronic signature and
571 may be submitted electronically to the local building official.
572 A local enforcement agency must accept electronically submitted
573 affidavits.

574 (8)(a) The local building official may not review plans,
575 construction drawings, or any other related documents determined

576 by a private provider to be compliant with the applicable codes.

577 (b) The local building official may review other forms and
578 documents required under this section for completeness only. The
579 local building official must provide written notice to a permit
580 applicant of any incomplete forms or documents required under
581 this section no later than 10 days after receipt of a permit
582 application and an affidavit from the private provider as
583 required in subsection (7). The written notice must state with
584 specificity which forms or documents are incomplete.

585 ~~(7) (a) No more than 20 business days, or if the permit~~
586 ~~application is related to a single-trade plans review for a~~
587 ~~single family or two family dwelling, no more than 5 business~~
588 ~~days, after receipt of a permit application and the affidavit~~
589 ~~from the private provider required pursuant to subsection (6),~~
590 ~~the local building official shall issue the requested permit or~~
591 ~~provide a written notice to the permit applicant identifying the~~
592 ~~specific plan features that do not comply with the applicable~~
593 ~~codes, as well as the specific code chapters and sections. If~~
594 ~~the local building official does not provide such a written~~
595 ~~notice of the plan deficiencies within 10 days the prescribed~~
596 ~~time period, the permit application must be deemed approved as a~~
597 ~~matter of law, and the permit must be issued by the local~~
598 ~~building official on the next business day.~~

599 (c) (b) If the local building official provides a written
600 notice of plan deficiencies to the permit applicant of any

601 incomplete forms or documents required under this section at the
602 time of plan submission within the 10-day ~~prescribed~~ time
603 period, such ~~the~~ time period is tolled pending resolution of the
604 matter. To resolve the issues raised in the notice plan
605 ~~deficiencies~~, the permit applicant may elect to dispute the
606 issues deficiencies pursuant to subsection (17) ~~(15)~~ or to
607 submit revisions to correct the issues deficiencies.

608 (d) ~~(e)~~ If the permit applicant submits revisions, the
609 local building official has the remainder of the tolled 10-day
610 time period plus 5 business days ~~after the date of resubmittal~~
611 to issue the requested permit or to provide a second written
612 notice to the permit applicant stating which of the previously
613 identified forms or documents ~~plan~~ features remain incomplete in
614 ~~noncompliance with the applicable codes, with specific reference~~
615 ~~to the relevant code chapters and sections.~~ Any subsequent
616 review by the local building official is limited to the issues
617 ~~deficiencies~~ cited in the original written notice. If the local
618 building official does not provide the second written notice
619 within the prescribed time period, the permit must be deemed
620 approved as a matter of law, and the local building official
621 must issue the permit on the next business day.

622 (e) ~~(d)~~ If the local building official provides a second
623 written notice ~~of plan deficiencies~~ to the permit applicant
624 within the prescribed time period, the permit applicant may
625 elect to dispute the issues raised in the second notice

626 deficiencies pursuant to subsection (17) ~~(15)~~ or to submit
627 additional revisions to correct the issues ~~deficiencies~~. For all
628 revisions submitted after the first revision, the local building
629 official has an additional 5 business days ~~after the date of~~
630 ~~resubmittal~~ to issue the requested permit or to provide a
631 written notice to the permit applicant stating which of the
632 previously identified forms or documents ~~plan features~~ remain
633 incomplete. If the local building official does not provide the
634 notice within the prescribed time period, the permit shall be
635 deemed approved as a matter of law, and the local building
636 official must issue the permit on the next business day ~~in~~
637 ~~noncompliance with the applicable codes, with specific reference~~
638 ~~to the relevant code chapters and sections.~~

639 (9) ~~(8)~~ A private provider performing required inspections
640 under this section shall inspect each phase of construction as
641 required by the applicable codes. Such inspection, including a
642 single-trade inspection, may be performed in person or
643 virtually. The private provider may have a duly authorized
644 representative perform the required inspections, provided all
645 required reports are prepared by and bear the written or
646 electronic signature of the private provider or the private
647 provider's duly authorized representative. The duly authorized
648 representative must be an employee of the private provider
649 entitled to receive reemployment assistance benefits under
650 chapter 443. The contractor's contractual or legal obligations

651 are not relieved by any action of the private provider.

652 ~~(10) (9) A private provider performing required inspections~~
653 ~~under this section shall provide notice to the local building~~
654 ~~official of the approximate date and time of any such~~
655 ~~inspection.~~ The local building official may not prohibit the
656 private provider from performing any inspection outside the
657 local building official's normal operating hours, including
658 after hours, weekends, or holidays. ~~The local building official~~
659 ~~may visit the building site as often as necessary to verify that~~
660 ~~the private provider is performing all required inspections.~~ A
661 deficiency notice must be posted by the private provider, the
662 duly authorized representative of the private provider, or the
663 building department whenever a noncomplying item related to the
664 building code or the permitted documents is found. Such notice
665 may be physically posted at the job site or electronically
666 posted. After corrections are made, the item must be reinspected
667 by the private provider or the representative of the private
668 provider before being concealed. ~~Reinspection or reaudit fees~~
669 ~~shall not be charged by~~ The local jurisdiction may not charge
670 reinspection or reaudit fees as a result of the local
671 jurisdiction's audit inspection occurring before the performance
672 of the private provider's inspection or for any other
673 administrative matter not involving the detection of a violation
674 of the building code or a permit requirement.

675 (11) A local enforcement agency is not responsible for the

676 regulatory administration or supervision of building code
677 inspection services performed by a private provider hired by a
678 fee owner or the fee owner's contractor. A local enforcement
679 agency may not require additional verification of licensure or
680 insurance requirements beyond that which is required at
681 registration.

682 (12) ~~(10)~~ If the private provider is a person licensed as
683 an engineer under chapter 471 or an architect under chapter 481
684 and affixes his or her professional seal to the affidavit
685 required under subsection (7) ~~(6)~~, the local building official
686 must issue the requested permit or provide a written notice to
687 the permit applicant identifying the specific plan features that
688 do not comply with the applicable codes, as well as the specific
689 code chapters and sections, within 10 business days after
690 receipt of the permit application and affidavit. In such written
691 notice, the local building official must provide with
692 specificity the plan's deficiencies, the reasons the permit
693 application failed, and the applicable codes being violated. If
694 the local building official does not provide specific written
695 notice to the permit applicant within the prescribed 10-day
696 period, the permit application is deemed approved as a matter of
697 law, and the local building official must issue the permit on
698 the next business day.

699 (13) ~~(11)~~ If equipment replacements and repairs must be
700 performed in an emergency situation, subject to the emergency

701 permitting provisions of the Florida Building Code, a private
702 provider may perform emergency inspection services without first
703 notifying the local building official ~~pursuant to subsection~~
704 ~~+9~~. A private provider must conduct the inspection within 3
705 business days after being contacted to conduct an emergency
706 inspection and must submit the inspection report to the local
707 building official within 1 day after the inspection is
708 completed.

709 (14) (12) Upon completing the required inspections at each
710 applicable phase of construction, the private provider shall
711 record such inspections on a form provided by the commission
~~acceptable to the local building official~~. The form must bear
713 the written or electronic signature of the private provider or
714 the private provider's duly authorized representative. These
715 inspection records must ~~shall~~ reflect those inspections required
716 by the applicable codes of each phase of construction for which
717 permitting by a local enforcement agency is required. The
718 private provider, upon completion of the required inspection,
719 shall post each completed inspection record, indicating pass or
720 fail, and provide the record to the local building official
721 within 4 ~~2~~ business days. Such inspection record may be
722 electronically posted by the private provider, or the private
723 provider may post such inspection record physically at the
724 project site. The private provider may electronically transmit
725 the record to the local building official. The local building

726 official may waive the requirement to provide a record of each
727 inspection within 4 ~~2~~ business days if the record is
728 electronically posted or posted at the project site and all such
729 inspection records are submitted with the certificate of
730 compliance. Unless the records have been electronically posted
731 and transmitted, records of all required and completed
732 inspections shall be maintained at the building site at all
733 times and made available for review by the local building
734 official. A local building official may not fail any inspection
735 performed by a private provider for not having the inspection
736 records at the job site if the inspection records have been
737 electronically transmitted to the local building official within
738 the 4-business-day requirement. The private provider shall
739 report to the local enforcement agency any condition that poses
740 an immediate threat to public safety and welfare.

741 (15) ~~(13)~~ Upon completion of all required inspections, the
742 private provider firm shall prepare a certificate of compliance,
743 on a form provided by the commission acceptable to the local
~~building official~~, summarizing the inspections performed and
745 including a written representation, under oath, that the stated
746 inspections have been performed and that, to the best of the
747 private provider's knowledge and belief, the building
748 construction inspected complies with the approved plans and
749 applicable codes. The certificate of compliance may be signed by
750 any qualified licensed individual employed full time by the

751 private provider firm under whose authority the inspection was
752 completed. The statement required of the private provider shall
753 be substantially in the following form and shall be signed and
754 sealed by a private provider as established in subsection (1) or
755 may be electronically transmitted to the local building
756 official:

757
758 To the best of my knowledge and belief, the building
759 components and site improvements outlined herein and
760 inspected under my authority have been completed in
761 conformance with the approved plans and the applicable
762 codes.

763
764 (16) (a) (14) (a) The local building official may only
765 perform building inspections of construction that a private
766 provider has determined to be compliant with the applicable
767 codes if the local building official has actual knowledge that
768 the private provider did not perform the required inspections.
769 If the local building official has such knowledge, the local
770 building official must provide to the private provider written
771 notice of the facts and circumstances upon which the local
772 building official relied for such actual knowledge before
773 performing a required inspection. The local building official
774 may review forms and documents required under this section for
775 completeness only. No more than 10 business days, or if the

776 permit is related to single-family or two-family dwellings then
777 no more than 2 business days, after receipt of a request for a
778 certificate of occupancy or certificate of completion and the
779 applicant's presentation of a certificate of compliance and
780 approval of all other government approvals required by law,
781 including the payment of all outstanding fees, the local
782 building official shall issue the certificate of occupancy or
783 certificate of completion or provide a notice to the applicant
784 of any incomplete forms or documents required under this section
785 ~~identifying the specific deficiencies, as well as the specific~~
786 ~~code chapters and sections.~~

787 (b) If the local building official does not provide notice
788 of any incomplete forms or documents ~~the deficiencies~~ within the
789 applicable time periods under paragraph (a), the request for a
790 certificate of occupancy or certificate of completion is
791 automatically granted and deemed issued as of the next business
792 day. The local building official must provide the applicant with
793 the written certificate of occupancy or certificate of
794 completion within 10 days after it is automatically granted and
795 issued. To resolve any identified issues ~~deficiencies~~, the
796 applicant may elect to dispute the issues ~~deficiencies~~ pursuant
797 to subsection (17) ~~(15)~~ or to submit a corrected request for a
798 certificate of occupancy or certificate of completion.

799 (17) ~~(15)~~ If the local building official determines that
800 the building construction or plans do not comply with the

801 applicable codes, the official may deny the permit or request
802 for a certificate of occupancy or certificate of completion, as
803 appropriate, or may issue a stop-work order for the project or
804 any portion thereof as provided by law, if the official
805 determines that the noncompliance poses an immediate threat to
806 public safety and welfare, subject to the following:

807 (a) The local building official shall be available to meet
808 with the private provider within 2 business days to resolve any
809 dispute after issuing a stop-work order or providing notice to
810 the applicant denying a permit or request for a certificate of
811 occupancy or certificate of completion.

812 (b) If the local building official and private provider
813 are unable to resolve the dispute, the matter shall be referred
814 to the local enforcement agency's board of appeals, if one
815 exists, which shall consider the matter at its next scheduled
816 meeting or sooner. Any decisions by the local enforcement
817 agency's board of appeals, or local building official if there
818 is no board of appeals, may be appealed to the commission as
819 provided by this chapter.

820 (c) Notwithstanding any provision of this section, any
821 decisions regarding the issuance of a building permit,
822 certificate of occupancy, or certificate of completion may be
823 reviewed by the local enforcement agency's board of appeals, if
824 one exists. Any decision by the local enforcement agency's board
825 of appeals, or local building official if there is no board of

826 appeals, may be appealed to the commission as provided by this
827 chapter, which shall consider the matter at the commission's
828 next scheduled meeting.

829 (18) (16) For the purposes of this section, any notice to
830 be provided by the local building official shall be deemed to be
831 provided to the person or entity when successfully transmitted
832 to the e-mail address listed for that person or entity in the
833 permit application or revised permit application, or, if no e-
834 mail address is stated, when actually received by that person or
835 entity.

836 (19) (a) (17) (a) A local enforcement agency, local building
837 official, or local government may not adopt or enforce any laws,
838 rules, procedures, policies, qualifications, or standards more
839 stringent than those prescribed by this section.

840 ~~(b) A local enforcement agency, local building official,~~
841 ~~or local government may establish, for private providers,~~
842 ~~private provider firms, and duly authorized representatives~~
843 ~~working within that jurisdiction, a system of registration to~~
844 ~~verify compliance with the licensure requirements of paragraph~~
845 ~~(1) (n) and the insurance requirements of subsection (18).~~

846 (b) (e) This section does not limit the authority of the
847 local building official to issue a stop-work order for a
848 building project or any portion of the project, as provided by
849 law, if the official determines that a condition on the building
850 site constitutes an immediate threat to public safety and

851 welfare.

852 (c) A local enforcement agency may not prohibit or limit
853 private providers from using virtual inspections if a virtual
854 inspection is not prohibited by any applicable code.

855 (20) ~~(18)~~ A private provider may perform building code
856 inspection services on a building project under this section
857 only if the private provider maintains insurance for
858 professional liability covering all services performed as a
859 private provider. Such insurance shall have minimum policy
860 limits of \$1 million per occurrence and \$2 million in the
861 aggregate for any project with a construction cost of \$5 million
862 or less and \$2 million per occurrence and \$4 million in the
863 aggregate for any project with a construction cost of over \$5
864 million. Nothing in this section limits the ability of a fee
865 owner to require additional insurance or higher policy limits.
866 For these purposes, the term "construction cost" means the total
867 cost of building construction as stated in the building permit
868 application. If the private provider chooses to secure claims-
869 made coverage to fulfill this requirement, the private provider
870 must also maintain coverage for a minimum of 5 years after
871 ~~subsequent to~~ the performance of building code inspection
872 services. The insurance required under this subsection shall be
873 written only by insurers authorized to do business in this state
874 with a minimum A.M. Best's rating of A. Before providing
875 building code inspection services within a local building

876 official's jurisdiction, a private provider must provide to the
877 local building official a certificate of insurance evidencing
878 that the coverages required under this subsection are in force.

879 (21) (19) When performing building code inspection
880 services, a private provider is subject to the disciplinary
881 guidelines of the applicable professional board with
882 jurisdiction over his or her license or certification under
883 chapter 468, chapter 471, or chapter 481. All private providers
884 shall be subject to the disciplinary guidelines of s.

885 468.621(1) (c)-(h). Any complaint processing, investigation, and
886 discipline that arise out of a private provider's performance of
887 building code inspection services shall be conducted by the
888 applicable professional board.

889 (22) (20) A local building code enforcement agency may not
890 audit the performance of building code inspection services by
891 private providers operating within the local jurisdiction until
892 the agency has created standard operating private provider audit
893 procedures for the agency's internal inspection and review
894 staff, which includes, at a minimum, the private provider audit
895 purpose and scope, private provider audit criteria, an
896 explanation of private provider audit processes and objections,
897 and detailed findings of areas of noncompliance. Such private
898 provider audit procedures must be publicly available online, and
899 a printed version must be readily accessible in agency
900 buildings. The private provider audit results of staff for the

901 prior two quarters also must be publicly available. The agency's
902 audit processes must adhere to the agency's posted standard
903 operating audit procedures. The same private provider or private
904 provider firm may not be audited more than four times in a year
905 unless the local building official determines a condition of a
906 building constitutes an immediate threat to public safety and
907 welfare, which must be communicated in writing to the private
908 provider or private provider firm. The private provider or
909 private provider firm must be given notice of each audit to be
910 performed at least 5 business days before the audit. Work on a
911 building or structure may proceed after inspection and approval
912 by a private provider. The work may not be delayed for
913 completion of an inspection audit by the local building code
914 enforcement agency.

915 (23) ~~(21)~~ The local government, ~~the~~ local building
916 official, and ~~their~~ building code enforcement personnel shall be
917 immune from liability to any person or party for any action or
918 inaction by a fee owner of a building, or by a private provider
919 or its duly authorized representative, in connection with
920 building code inspection services as authorized in this act. The
921 local government, local enforcement agency, local building
922 official, and building code enforcement personnel may not
923 prohibit or discourage the use of a private provider or a
924 private provider firm.

925 (24) ~~(22)~~ Notwithstanding any other law, a county, a

926 municipality, a school district, or an independent special
927 district may use a private provider or a private provider firm,
928 or may employ a licensed building inspector as described in s.
929 468.603(5)(a) or a person who holds the same licensure or
930 certification as a private provider, to provide building code
931 inspection services for a public works project, an improvement,
932 a building, or any other structure that is owned by the county,
933 municipality, school district, or independent special district.

934 **Section 5. Paragraph (a) of subsection (1) of section
935 553.792, Florida Statutes, is amended to read:**

936 553.792 Building permit application to local government.—
937 (1) (a) A local government must approve, approve with
938 conditions, or deny a building permit application after receipt
939 of a completed and sufficient application within the following
940 timeframes, unless the applicant waives such timeframes in
941 writing:

942 1. Within 5 business days after receiving a complete and
943 sufficient application, for an applicant using a local
944 government plans reviewer to obtain the following building
945 permits for an existing single-family residential dwelling if
946 the value of the work is less than \$15,000: structural,
947 accessory structure, alarm, electrical, irrigation, landscaping,
948 mechanical, plumbing, or roofing.

949 2.1. Within 30 business days after receiving a complete
950 and sufficient application, for an applicant using a local

951 government plans reviewer to obtain the following building
952 permits if the structure is less than 7,500 square feet:
953 residential units, including a single-family residential unit or
954 a single-family residential dwelling, accessory structure,
955 alarm, electrical, irrigation, landscaping, mechanical,
956 plumbing, or roofing.

957 3.2. Within 60 business days after receiving a complete
958 and sufficient application, for an applicant using a local
959 government plans reviewer to obtain the following building
960 permits if the structure is 7,500 square feet or more:
961 residential units, including a single-family residential unit or
962 a single-family residential dwelling, accessory structure,
963 alarm, electrical, irrigation, landscaping, mechanical,
964 plumbing, or roofing.

965 4.3. Within 60 business days after receiving a complete
966 and sufficient application, for an applicant using a local
967 government plans reviewer to obtain the following building
968 permits: signs or nonresidential buildings that are less than
969 25,000 square feet.

970 5.4. Within 60 business days after receiving a complete
971 and sufficient application, for an applicant using a local
972 government plans reviewer to obtain the following building
973 permits: multifamily residential, not exceeding 50 units; site-
974 plan approvals and subdivision plats not requiring public
975 hearing or public notice; and lot grading and site alteration.

976 6.5. Within 12 business days after receiving a complete
977 and sufficient application, for an applicant using a master
978 building permit consistent with s. 553.794 to obtain a site-
979 specific building permit.

980 7.6. Within 10 business days after receiving a complete
981 and sufficient application, for an applicant for a single-family
982 residential dwelling applied for by a contractor licensed in
983 this state on behalf of a property owner who participates in a
984 Community Development Block Grant-Disaster Recovery program
985 administered by the Department of Commerce, unless the permit
986 application fails to satisfy the Florida Building Code or the
987 enforcing agency's laws or ordinances.

988
989 However, the local government may not require the waiver of the
990 timeframes in this section as a condition precedent to reviewing
991 an applicant's building permit application.

992 **Section 6. Paragraphs (b) through (m) of subsection (1) of**
993 **section 553.77, Florida Statutes, are redesignated as paragraphs**
994 **(c) through (n), respectively, present paragraph (c) of that**
995 **subsection is amended, and a new paragraph (b) is added to that**
996 **subsection, to read:**

997 553.77 Specific powers of the commission.—

998 (1) The commission shall:

999 (b) By July 1, 2027, adopt by rule a uniform commercial
1000 building permit application to be used statewide for commercial

1001 construction projects and a uniform residential building permit
1002 application to be used statewide for residential construction
1003 projects.

1004 (d) (e) Upon written application by any substantially
1005 affected person or a local enforcement agency, issue declaratory
1006 statements pursuant to s. 120.565 relating to new technologies,
1007 techniques, and materials which have been tested where necessary
1008 and found to meet the objectives of the Florida Building Code.
1009 This paragraph does not apply to the types of products,
1010 materials, devices, or methods of construction required to be
1011 approved under paragraph (g) (f).

1012 **Section 7. Paragraph (c) is added to subsection (1) of**
1013 **section 720.3035, Florida Statutes, to read:**

1014 720.3035 Architectural control covenants; parcel owner
1015 improvements; rights and privileges.—

1016 (1)

1017 (c) An association or any architectural, construction
1018 improvement, or other such similar committee of an association
1019 may not require a building permit to be issued by a governmental
1020 authority to a parcel owner as a prerequisite for review by the
1021 association or committee concerning the construction of
1022 structures or improvements on the parcel.

1023 **Section 8.** This act shall take effect July 1, 2026.