

1                   A bill to be entitled  
2     An act relating to building permits and inspections;  
3     amending s. 125.56, F.S.; providing for expiration of  
4     certain building permits issued by a county; amending  
5     s. 489.129, F.S.; providing that certain persons are  
6     not subject to discipline for performing a job without  
7     applicable permits and inspections if otherwise  
8     authorized by law; amending s. 553.79, F.S.; providing  
9     for expiration of certain building permits issued by a  
10    local government; providing prohibitions for  
11    inspection fees; prohibiting a local government from  
12    requiring building permits for certain projects;  
13    providing an exception; requiring certain contractors  
14    to maintain certain records for a specified time  
15    period; prohibiting local governments from requiring a  
16    building permit for the installation of temporary  
17    residential hurricane and flood protection walls or  
18    barriers that meet certain requirements; prohibiting  
19    local governments from requiring a building permit for  
20    the installation of certain retaining walls; amending  
21    s. 553.791, F.S.; revising and providing definitions;  
22    removing the requirement that a contract for certain  
23    services be in writing; providing that a contract for  
24    certain services does not need to be submitted as part  
25    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

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

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

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

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

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

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

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

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

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

553.791 Alternative plans review and inspection.—

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

(a) "Applicable codes" means the Florida Building Code and 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 (1) "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

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

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

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

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

1. A certificate of occupancy or certificate of completion.

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

3. Any applicable fees.

4. Any documents required by the local building official 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.  
434 The local enforcement agency may not charge punitive  
435 administrative fees when a fee owner has chosen to work with a  
436 private provider; however, the local jurisdiction may charge a  
437 reasonable administrative fee, which shall be based on the cost  
438 that is actually incurred, including the labor cost of the  
439 personnel providing the service, by the local jurisdiction or  
440 attributable to the local jurisdiction for the clerical and  
441 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:

505  
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

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

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

~~(6)-(5) After construction has commenced and if either the local building official is unable to provide inspection services in a timely manner or the work subject to inspection is related to a single-trade inspection for a single-family or two-family dwelling,~~ the fee owner or the fee owner's contractor may elect to use a private provider to provide inspection services for a single-trade inspection for a single-family or two-family 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)-(c)~~.

554 (7)-(6) 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

are not relieved by any action of the private provider.

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

(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  
712 ~~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~~  
744 ~~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.