

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; providing
5 construction; amending s. 489.129, F.S.; providing
6 that certain persons are not subject to discipline for
7 performing a job without applicable permits and
8 inspections if otherwise authorized by law; amending
9 s. 553.382, F.S.; prohibiting the Department of
10 Business and Professional Regulation from denying a
11 building permit for certain residential manufactured
12 buildings; requiring certain housing units to be taxed
13 in a certain manner; amending s. 553.79, F.S.;
14 providing for expiration of certain building permits
15 issued by a local government; providing construction;
16 providing prohibitions for inspection fees;
17 prohibiting a local government from requiring building
18 permits for certain projects; providing an exception;
19 prohibiting a construction project from being divided
20 into multiple projects for a certain purpose;
21 requiring a notice of permit exemption with specified
22 information to be filed within a certain timeframe
23 under certain circumstances; providing that local
24 governments do not have a duty to certain persons;
25 prohibiting local governments from requiring a

26 building permit for the installation of temporary
27 residential hurricane and flood protection walls or
28 barriers that meet certain requirements; prohibiting
29 local governments from requiring a building permit for
30 the installation of certain retaining walls; amending
31 s. 553.791, F.S.; revising and providing definitions;
32 requiring explicit written authorization from a fee
33 owner for a contractor to use a private provider;
34 removing the requirement that a contract for certain
35 services be in writing; providing that a contract for
36 certain services does not need to be submitted as part
37 of a permit application; providing requirements for
38 reduced permit fees; prohibiting a local jurisdiction
39 from charging punitive administrative fees or fees for
40 plans review services; requiring that certain
41 documents be promptly provided to certain persons;
42 requiring local enforcement agencies to reduce permit
43 fees by specified percentages under certain
44 circumstances; providing that a local enforcement
45 agency forfeits the ability to collect fees under
46 certain circumstances; requiring a surcharge to be
47 calculated based on the reduced permit fee;
48 prohibiting local governments and local building
49 officials from requiring additional forms; requiring
50 local enforcement agencies to create a specified

51 registration system that must have a method to
52 register and update registration information
53 electronically; prohibiting local enforcement agencies
54 from charging an administrative fee to register or
55 update registration information; requiring private
56 provider firms to register with the local enforcement
57 agency, provide certain information, and update its
58 registration within a specified timeframe after
59 changes occur; prohibiting local enforcement agencies
60 from altering a form adopted by the commission;
61 removing the requirement that a private provider's
62 qualification statements or resumes be included in a
63 certain notice; removing time restrictions for
64 electing to use a private provider; requiring local
65 enforcement agencies to accept a certain affidavit
66 electronically; providing which forms and documents a
67 local building official may review; providing notice
68 requirements; providing that certain permits are
69 deemed approved; providing that local enforcement
70 agencies are not responsible for the administration or
71 supervision of services performed by a private
72 provider; prohibiting local enforcement agencies from
73 requiring additional verification of certain
74 requirements beyond that which is required at
75 registration; revising the timeframe in which certain

76 records must be provided; authorizing certain records
77 to be electronically transmitted; prohibiting local
78 building officials from failing certain inspections;
79 authorizing certain persons to sign certificates of
80 compliance; providing requirements for local building
81 officials who have knowledge that a private provider
82 failed to perform an inspection; providing that
83 virtual inspections may not be prohibited; requiring
84 certain notice before an audit; prohibiting certain
85 entities from discouraging the use of private
86 providers; authorizing certain public entities to use
87 a private provider firm or to employ a licensed
88 building inspector to provide building code inspection
89 services; amending s. 553.792, F.S.; requiring a local
90 government to make certain decisions relating to
91 certain building permits within a specified timeframe;
92 amending s. 553.77, F.S.; requiring the Florida
93 Building Commission to develop uniform commercial and
94 residential building permit applications by a
95 specified date; providing requirements for a uniform
96 commercial building permit application; creating s.
97 553.796, F.S.; defining the terms "backup power
98 system" and "distributed energy generation system";
99 requiring local enforcement agencies to issue within a
100 specified timeframe certain building permits if

101 certain conditions are met; authorizing licensed
102 contractors to commence work before the permit is
103 issued; requiring owners who install certain systems
104 to follow applicable permitting requirements;
105 prohibiting counties, municipalities, and special
106 districts from adopting or enforcing certain
107 ordinances or rules; authorizing certain inspections
108 to be done in person or virtually to verify compliance
109 with certain codes; prohibiting more than one
110 inspection; providing an exception; authorizing the
111 use of private providers for certain inspections;
112 providing notice requirements for noncompliance;
113 authorizing a stop-work order only under certain
114 circumstances; requiring, upon request, a reinspection
115 of certain work within a specified timeframe;
116 prohibiting a failed inspection report from being the
117 sole basis for withholding or revoking a certificate
118 of occupancy; requiring certain persons to notify
119 certain entities within a reasonable timeframe that
120 certain systems are affixed to a dwelling or
121 townhouse; providing construction; amending s.
122 720.3035, F.S.; prohibiting an association or certain
123 committees from requiring a building permit as a
124 prerequisite for a certain review; providing an
125 effective date.

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

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

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

(4)

(d) A county that issues building permits may send a written notice of expiration, by e-mail or United States Postal Service, to the owner of the property and the contractor listed on the permit, no less than 30 days before a building permit is set to expire. The written notice must identify the permit that is set to expire and the date the permit will expire. A building permit issued by a county for a single-family dwelling expires 1 year after the issuance of the permit or on the effective date of the next edition of the Florida Building Code, whichever is later. However, this paragraph does not prevent a local government from extending a building permit beyond the expiration date.

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

489.129 Disciplinary proceedings.—

(1) The board may take any of the following actions

151 against any certificateholder or registrant: place on probation
152 or reprimand the licensee, revoke, suspend, or deny the issuance
153 or renewal of the certificate or registration, require financial
154 restitution to a consumer for financial harm directly related to
155 a violation of a provision of this part, impose an
156 administrative fine not to exceed \$10,000 per violation, require
157 continuing education, or assess costs associated with
158 investigation and prosecution, if the contractor, financially
159 responsible officer, or business organization for which the
160 contractor is a primary qualifying agent, a financially
161 responsible officer, or a secondary qualifying agent responsible
162 under s. 489.1195 is found guilty of any of the following acts:

163 (o) Proceeding on any job without obtaining applicable
164 local building department permits and inspections, unless
165 otherwise provided by law.
166

167 For the purposes of this subsection, construction is considered
168 to be commenced when the contract is executed and the contractor
169 has accepted funds from the customer or lender. A contractor
170 does not commit a violation of this subsection when the
171 contractor relies on a building code interpretation rendered by
172 a building official or person authorized by s. 553.80 to enforce
173 the building code, absent a finding of fraud or deceit in the
174 practice of contracting, or gross negligence, repeated
175 negligence, or negligence resulting in a significant danger to

176 life or property on the part of the building official, in a
177 proceeding under chapter 120.

178 **Section 3. Section 553.382, Florida Statutes, is amended**
179 **to read:**

180 553.382 Placement of certain housing.—Notwithstanding any
181 other law or ordinance to the contrary, in order to expand the
182 availability of affordable housing in this state, any
183 residential manufactured building that is certified under this
184 chapter by the department may not be denied a building permit
185 for placement ~~be placed~~ on a mobile home lot in a mobile home
186 park, on a lot in a recreational vehicle park, or in a mobile
187 home condominium, cooperative, or subdivision. Any such housing
188 unit placed on a mobile home lot is a mobile home for purposes
189 of chapter 723 and, therefore, all rights, obligations, and
190 duties under chapter 723 apply, including the specifics of the
191 prospectus. However, a housing unit subject to this section may
192 not be placed on a mobile home lot without the prior written
193 approval of the park owner. Each housing unit located on a
194 mobile home lot and subject to this section shall be taxed as a
195 mobile home under s. 320.08(11) and is subject to payments to
196 the Florida Mobile Home Relocation Fund under s. 723.06116.

197 **Section 4. Paragraphs (a), (b), (c), and (f) of subsection**
198 **(1) of section 553.79, Florida Statutes, are amended, and**
199 **paragraphs (g), (h), and (i) are added to that subsection, to**
200 **read:**

201 553.79 Permits; applications; issuance; inspections.—

202 (1)(a) Unless otherwise provided by law, after the
203 effective date of the Florida Building Code adopted as herein
204 provided, it shall be unlawful for any person, firm,
205 corporation, or governmental entity to construct, erect, alter,
206 modify, repair, or demolish any building within this state
207 without first obtaining a permit therefor from the appropriate
208 enforcing agency or from such persons as may, by appropriate
209 resolution or regulation of the authorized state or local
210 enforcing agency, be delegated authority to issue such permits,
211 upon the payment of such reasonable fees adopted by the
212 enforcing agency. The enforcing agency is empowered to revoke
213 any such permit upon a determination by the agency that the
214 construction, erection, alteration, modification, repair, or
215 demolition of the building for which the permit was issued is in
216 violation of, or not in conformity with, the provisions of the
217 Florida Building Code. Whenever a permit required under this
218 section is denied or revoked because the plan, or the
219 construction, erection, alteration, modification, repair, or
220 demolition of a building, is found by the local enforcing agency
221 to be not in compliance with the Florida Building Code, the
222 local enforcing agency shall identify the specific plan or
223 project features that do not comply with the applicable codes,
224 identify the specific code chapters and sections upon which the
225 finding is based, and provide this information to the permit

226 applicant. A plans reviewer or building code administrator who
227 is responsible for issuing a denial, revocation, or modification
228 request but fails to provide to the permit applicant a reason
229 for denying, revoking, or requesting a modification, based on
230 compliance with the Florida Building Code or local ordinance, is
231 subject to disciplinary action against his or her license
232 pursuant to s. 468.621(1)(i). Installation, replacement,
233 removal, or metering of any load management control device is
234 exempt from and shall not be subject to the permit process and
235 fees otherwise required by this section.

236 (b) A local enforcement agency shall post each type of
237 building permit application, as adopted by the commission,
238 including a list of all required attachments, drawings, or other
239 requirements for each type of application, on its website. A
240 local enforcement agency must post and update the status of
241 every received application on its website until the issuance of
242 the building permit. A local enforcement agency must allow
243 applicants to submit completed applications, including payments,
244 attachments, drawings, or other requirements or parts of the
245 ~~completed permit application, must be able to be submitted~~
246 electronically to the appropriate building department. Accepted
247 methods of electronic submission include, but are not limited
248 to, e-mail submission of applications in Portable Document
249 Format or submission of applications through an electronic fill-
250 in form available on the building department's website or

251 through a third-party submission management software. A building
252 official, at his or her discretion, may accept completed
253 applications, including payments, attachments, drawings, or
254 other requirements or parts of the ~~completed~~ permit application,
255 ~~may also be submitted~~ in person in a nonelectronic format, ~~at~~
256 ~~the discretion of the building official.~~

257 (c) A local government that issues building permits may
258 send a written notice of expiration, by e-mail or United States
259 Postal Service, to the owner of the property and the contractor
260 listed on the permit, no less than 30 days before a building
261 permit is set to expire. The written notice must identify the
262 permit that is set to expire and the date the permit will
263 expire. A building permit issued by a local government for a
264 single-family dwelling expires 1 year after the issuance of the
265 permit or on the effective date of the next edition of the
266 Florida Building Code, whichever is later. However, this
267 paragraph does not prevent a local government from extending a
268 building permit beyond the expiration date.

269 (f) A local government may not require a contract between
270 a builder and an owner, any copies of such contract, or any
271 associated document, including, but not limited to, letters of
272 intent, material costs lists, labor costs, or overhead or profit
273 statements, for the issuance of a building permit or as a
274 requirement for the submission of a building permit application.
275 Inspection fees may not be based on the total cost of a project

276 and may not exceed the actual inspection costs incurred by the
277 local enforcement agency.

278 (g)1. A local government that issues building permits may
279 not require an owner of a single-family dwelling or the owner's
280 contractor to obtain a building permit to perform any work that
281 is valued at less than \$7,500 on the owner's property. However,
282 a local government may require a building permit for any
283 electrical, plumbing, structural, mechanical, or gas work
284 performed on property containing a single-family dwelling
285 regardless of the value of the work. A construction project may
286 not be divided into more than one project for the purpose of
287 evading the requirements of this section.

288 2. For any work performed by a person other than the
289 property owner under the exemption in subparagraph 1., the
290 person performing the work must file a notice of permit
291 exemption with the local enforcement agency that includes the
292 name and license number of the person or entity hired to perform
293 the work, the scope of the work performed, the property address
294 at which the work was performed, and the value of such work as
295 proof that such work complies with subparagraph 1. A notice of
296 permit exemption must be filed within 30 days after the date the
297 work begins. A notice is not required for work performed
298 personally by the property owner. A local government has no
299 legal duty to the owner, contractor, or successors or assigns
300 thereof for work performed under this paragraph.

301 (h)1. A local government that issues building permits may
302 not require an owner of a single-family dwelling or the owner's
303 contractor to obtain a building permit for the installation of
304 temporary residential hurricane and flood protection walls or
305 barriers that meet all of the following conditions:

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

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

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

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

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

317 2. A local government has no legal duty to the owner,
318 contractor, or successors or assigns thereof for work performed
319 under this paragraph.

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

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

326 **Section 5. Section 553.791, Florida Statutes, is amended**
327 **to read:**

328 553.791 Alternative plans review and inspection.—

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

330 (a) "Applicable codes" means the Florida Building Code and
331 any local technical amendments to the Florida Building Code but
332 does not include the applicable minimum fire prevention and
333 firesafety codes adopted pursuant to chapter 633.

334 (b) "Audit" means the process to confirm that the building
335 code inspection services have been performed by the private
336 provider, including ensuring that the required affidavit for the
337 plan review has been properly completed and submitted with the
338 permit documents and that the minimum mandatory inspections
339 required under the building code have been performed and
340 properly recorded. The local building official may not replicate
341 the plan review or inspection being performed by the private
342 provider, unless expressly authorized by this section.

343 (c) "Building" means any construction, erection,
344 alteration, demolition, or improvement of, or addition to, any
345 structure or site work for which permitting by a local
346 enforcement agency is required.

347 (d) "Building code inspection services" means those
348 services described in s. 468.603(5) and (8) involving the review
349 of building plans as well as those services involving the review
350 of site plans and site work engineering plans or their

functional equivalent, to determine compliance with applicable codes and those inspections required by law, conducted either in person or virtually, of each phase of construction for which permitting by a local enforcement agency is required to determine compliance with applicable codes.

(e) "Deliver" or "delivery" means any method of delivery used in conventional business or commercial practice, including delivery by electronic transmissions such as e-mail or submission through an electronic fill-in form available on the building department's website or through a third-party submission management software.

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

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

376 (h) "Electronic transmission" or "submitted
377 electronically" means any form or process of communication not
378 directly involving the physical transfer of paper or another
379 tangible medium which is suitable for the retention, retrieval,
380 and reproduction of information by the recipient and is
381 retrievable in paper form by the receipt through an automated
382 process. All notices, documents, and applications provided for
383 in this section may be transmitted electronically and shall have
384 the same legal effect as if physically posted or mailed.

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

389 (j) "Immediate threat to public safety and welfare" means
390 a building code violation that, if allowed to persist,
391 constitutes an immediate hazard that could result in death,
392 serious bodily injury, or significant property damage. This
393 paragraph does not limit the authority of the local building
394 official to issue a Notice of Corrective Action at any time
395 during the construction of a building project or any portion of
396 such project if the official determines that a condition of the
397 building or portion thereof may constitute a hazard when the
398 building is put into use following completion as long as the
399 condition cited is shown to be in violation of the building code
400 or approved plans.

401 (k) "Local building official" means the individual within
402 the governing jurisdiction responsible for direct regulatory
403 administration or supervision of plans review, enforcement, and
404 inspection of any construction, erection, alteration,
405 demolition, or substantial improvement of, or addition to, any
406 structure for which permitting is required to indicate
407 compliance with applicable codes and includes any duly
408 authorized designee of such person.

409 (1) "Permit application" means a properly completed and
410 submitted application for the requested building or construction
411 permit, including:

412 1. The plans reviewed by the private provider, or in the
413 case of a single-trade plans review where a private provider
414 uses an automated or software-based plans review system pursuant
415 to subsection (7) ~~(6)~~, the information reviewed by the automated
416 or software-based plans review system to determine compliance
417 with one or more applicable codes.

418 2. The affidavit from the private provider required under
419 subsection (7) ~~(6)~~.

420 3. Any applicable fees.

421 4. Any documents required by the local building official
422 to determine that the fee owner has secured all other government
423 approvals required by law.

424 (m) "Plans" means building plans, site engineering plans,
425 or site plans, or their functional equivalent, submitted by a

fee owner or fee owner's contractor to a private provider or duly authorized representative for review.

(n) "Private provider" means a person licensed as a building code administrator under part XII of chapter 468, as an engineer under chapter 471, or as an architect under chapter 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

451 completion.

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

454 3. Any applicable fees.

455 4. Any documents required by the local building official
456 to determine that the fee owner has secured all other government
457 approvals required by law.

458 (r)~~(q)~~ "Single-trade inspection" or "single-trade plans
459 review" means any inspection or plans review focused on a single
460 construction trade, such as plumbing, mechanical, or electrical.
461 The term includes, but is not limited to, inspections or plans
462 reviews of door or window replacements; fences and block walls
463 more than 6 feet high from the top of the wall to the bottom of
464 the footing; stucco or plastering; reroofing with no structural
465 alteration; solar energy and energy storage installations or
466 alterations; HVAC replacements; ductwork or fan replacements;
467 alteration or installation of wiring, lighting, and service
468 panels; water heater changeouts; sink replacements; and
469 repiping.

470 (s)~~(r)~~ "Site work" means the portion of a construction
471 project that is not part of the building structure, including,
472 but not limited to, grading, excavation, landscape irrigation,
473 and installation of driveways.

474 (t)~~(s)~~ "Stop-work order" means the issuance of any written
475 statement, written directive, or written order which states the

476 reason for the order and the conditions under which the cited
477 work will be permitted to resume.

478 (2) (a) Notwithstanding any other law or local government
479 ordinance or local policy, the fee owner of a building or
480 structure, or the fee owner's contractor upon explicit written
481 authorization from the fee owner, may choose at any time to use
482 a private provider to provide plans review or building code
483 inspection services with regard to such building or structure
484 and may make payment directly to the private provider for the
485 provision of such services. All such services shall be the
486 subject of a ~~written~~ contract between the private provider, or
487 the private provider's firm, and the fee owner or the fee
488 owner's contractor, upon explicit written authorization of the
489 fee owner. The local enforcement agency may not require the
490 contract to be provided as part of the permit application or as
491 a condition for issuing a permit. The fee owner may elect to use
492 a private provider to provide plans review or required building
493 inspections, or both. However, if the fee owner or the fee
494 owner's contractor uses a private provider to provide plans
495 review, the local building official, in his or her discretion
496 and pursuant to duly adopted policies of the local enforcement
497 agency, may require the fee owner or the fee owner's contractor
498 to use a private provider to also provide required building
499 inspections.

500 (b) If a fee ~~an~~ owner or the fee owner's contractor

501 retains a private provider for purposes of plans review or
502 building inspection services, the local jurisdiction must reduce
503 the permit fee by the amount of cost savings realized by the
504 local enforcement agency for not having to perform such
505 services. Such reduction may be calculated on a flat fee or
506 percentage basis, or any other reasonable means by which a local
507 enforcement agency assesses the cost for its plans review or
508 inspection services. The permit fee must be based on the cost
509 incurred by the local jurisdiction, including the labor cost of
510 the personnel providing such services and the clerical and
511 supervisory assistance required to comply with this section. The
512 local jurisdiction may not charge fees for plans review or
513 building inspections if the fee owner or the fee owner's
514 contractor hires a private provider to perform such services.
515 The local enforcement agency may not charge punitive
516 administrative fees when a fee owner has chosen to work with a
517 private provider; ~~however, the local jurisdiction may charge a~~
518 ~~reasonable administrative fee, which shall be based on the cost~~
519 ~~that is actually incurred, including the labor cost of the~~
520 ~~personnel providing the service, by the local jurisdiction or~~
521 ~~attributable to the local jurisdiction for the clerical and~~
522 ~~supervisory assistance required, or both.~~

523 (c) If a fee an owner or the fee owner's a contractor
524 retains a private provider for purposes of plans review or
525 building inspection services, the local jurisdiction must

526 provide equal access to all permitting and inspection documents
527 and reports to the private provider, owner, and contractor if
528 such access is provided by software that protects exempt records
529 from disclosure. Access to these documents must be promptly
530 provided.

531 (d) If a fee owner or the fee owner's contractor retains a
532 private provider for purposes of plans review or building
533 inspection services for a commercial construction project, the
534 local enforcement agency must reduce the permit fee by at least
535 25 percent of the portion of the permit fee attributable to
536 plans review or building inspection services, as applicable. If
537 the fee owner or the fee owner's contractor retains a private
538 provider for all required plans review and building inspection
539 services, the local enforcement agency must reduce the total
540 permit fee by at least 50 percent of the amount otherwise
541 charged for such services. If the local enforcement agency does
542 not reduce such fee by at least the percentages provided in this
543 paragraph, the local enforcement agency forfeits the ability to
544 collect any fees for the commercial construction project. The
545 surcharge required by s. 553.721 must be calculated based on the
546 amount of the reduced permit fee. This paragraph does not
547 prohibit a local enforcement agency from reducing a permit fee
548 in excess of the percentages provided in this paragraph.

549 (e) A local government or local building official may not
550 require additional forms beyond those required at registration,

551 except for the written notice required under subsection (5), if
552 a fee owner or the fee owner's contractor uses a private
553 provider.

554 (3) A private provider and any duly authorized
555 representative may only perform building code inspection
556 services that are within the disciplines covered by that
557 person's licensure or certification under chapter 468, chapter
558 471, or chapter 481, including single-trade inspections. A
559 private provider may not provide building code inspection
560 services pursuant to this section upon any building designed or
561 constructed by the private provider or the private provider's
562 firm.

563 (4) A local enforcement agency must create a registration
564 system for private providers and private provider firms working
565 in the local enforcement agency's jurisdiction. A local
566 enforcement agency must have a method to register and update
567 registration information electronically. The local enforcement
568 agency may not charge an administrative fee for registration or
569 updates to a registration. The private provider or private
570 provider firm must provide its contact information and verify
571 compliance with the licensure requirements of paragraph (1)(n)
572 or paragraph (1)(o), as applicable, and the insurance
573 requirements of subsection (20). The private provider or private
574 provider firm must register with the local enforcement agency in
575 the jurisdiction in which the provider or firm is working before

576 contracting to provide services in such jurisdiction. The
577 private provider or private provider firm must update its
578 registration within 5 business days after any change to the
579 provider's or firm's contact information, licensure, or
580 insurance coverage.

581 (5) ~~(4)~~ A fee owner or the fee owner's contractor using a
582 private provider to provide building code inspection services
583 shall notify the local building official in writing at the time
584 of permit application, or by 2 p.m. local time, 2 business days
585 before the first scheduled inspection by the local building
586 official or building code enforcement agency that a private
587 provider has been contracted to perform the required inspections
588 of construction under this section, including single-trade
589 inspections, on a form ~~to be~~ adopted by the commission. The
590 local enforcement agency may not alter the form. This notice
591 must ~~shall~~ include the following information:

592 (a) The services to be performed by the private provider.

593 (b) The name, firm, address, telephone number, and e-mail
594 address of each private provider who is performing or will
595 perform such services, his or her professional license or
596 certification number, ~~qualification statements or resumes,~~ and,
597 if required by the local building official, a certificate of
598 insurance demonstrating that professional liability insurance
599 coverage is in place for the private provider's firm, the
600 private provider, and any duly authorized representative in the

601 amounts required by this section.

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

604
605 I have elected to use one or more private providers to
606 provide building code plans review and/or inspection
607 services on the building or structure that is the
608 subject of the enclosed permit application, as
609 authorized by s. 553.791, Florida Statutes. I
610 understand that the local building official may not
611 review the plans submitted or perform the required
612 building inspections to determine compliance with the
613 applicable codes, except to the extent specified in
614 said law. Instead, plans review and/or required
615 building inspections will be performed by licensed or
616 certified personnel identified in the application. The
617 law requires minimum insurance requirements for such
618 personnel, but I understand that I may require more
619 insurance to protect my interests. By executing this
620 form, I acknowledge that I have made inquiry regarding
621 the competence of the licensed or certified personnel
622 and the level of their insurance and am satisfied that
623 my interests are adequately protected. I agree to
624 indemnify, defend, and hold harmless the local
625 government, the local building official, and their

626 building code enforcement personnel from any and all
627 claims arising from my use of these licensed or
628 certified personnel to perform building code
629 inspection services with respect to the building or
630 structure that is the subject of the enclosed permit
631 application.

632
633 If the fee owner or the fee owner's contractor makes any changes
634 to the listed private providers or the services to be provided
635 by those private providers, the fee owner or the fee owner's
636 contractor shall, within 1 business day after any change or
637 within 2 business days before the next scheduled inspection,
638 update the notice to reflect such changes. A change of a duly
639 authorized representative named in the permit application does
640 not require a revision of the permit, and the building code
641 enforcement agency shall not charge a fee for making the change.

642 (6) ~~(5)~~ After construction has commenced ~~and if either the~~
643 ~~local building official is unable to provide inspection services~~
644 ~~in a timely manner or the work subject to inspection is related~~
645 ~~to a single-trade inspection for a single-family or two-family~~
646 ~~dwelling~~, the fee owner or the fee owner's contractor may elect
647 to use a private provider to provide inspection services for a
648 single-trade inspection for a single-family or two-family
649 dwelling by notifying the local building official of the owner's
650 or contractor's intention to do so ~~by 2 p.m. local time, 2~~

651 ~~business days~~ before the next scheduled inspection using the
652 notice provided for in paragraphs (5) (a) - (c) ~~(4) (a) - (e)~~.

653 (7) (a) ~~(6)~~ A private provider performing plans review under
654 this section shall review the plans to determine compliance with
655 the applicable codes. For single-trade plans reviews, a private
656 provider may use an automated or software-based plans review
657 system designed to determine compliance with one or more
658 applicable codes, including, but not limited to, the National
659 Electrical Code and the Florida Building Code. Upon determining
660 that the plans reviewed comply with the applicable codes, the
661 private provider shall prepare an affidavit or affidavits
662 certifying, under oath, that the following is true and correct
663 to the best of the private provider's knowledge and belief:

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

667 (b) The plans comply with the applicable codes.
668

669 Such affidavit may bear a written or electronic signature and
670 may be submitted electronically to the local building official.
671 A local enforcement agency must accept electronically submitted
672 affidavits.

673 (8) (a) The local building official may not review plans,
674 construction drawings, or any other related documents determined
675 by a private provider to be compliant with the applicable codes.

676 (b) The local building official may review other forms and
677 documents required under this section for completeness only. The
678 local building official must provide written notice to a permit
679 applicant of any incomplete forms or documents required under
680 this section no later than 10 days after receipt of a permit
681 application or, if the permit application is relating to a
682 single-trade plans review for a single-family or two-family
683 dwelling, no later than 5 business days after receipt of a
684 permit application, and an affidavit from the private provider
685 as required in subsection (7). The written notice must state
686 with specificity which forms or documents are incomplete.

687 ~~(7)(a) No more than 20 business days, or if the permit~~
688 ~~application is related to a single-trade plans review for a~~
689 ~~single-family or two-family dwelling, no more than 5 business~~
690 ~~days, after receipt of a permit application and the affidavit~~
691 ~~from the private provider required pursuant to subsection (6),~~
692 ~~the local building official shall issue the requested permit or~~
693 ~~provide a written notice to the permit applicant identifying the~~
694 ~~specific plan features that do not comply with the applicable~~
695 ~~codes, as well as the specific code chapters and sections. If~~
696 ~~the local building official does not provide such a written~~
697 ~~notice of the plan deficiencies within the prescribed time~~
698 ~~period, the permit application must be deemed approved as a~~
699 ~~matter of law, and the permit must be issued by the local~~
700 ~~building official on the next business day.~~

701 (c)~~(b)~~ If the local building official provides a written
702 notice ~~of plan deficiencies~~ to the permit applicant of any
703 incomplete forms or documents required under this section at the
704 time of plan submission within the prescribed time period, such
705 ~~the~~ time period is tolled pending resolution of the matter. To
706 resolve the issues raised in the notice ~~plan deficiencies~~, the
707 permit applicant may elect to dispute the issues ~~deficiencies~~
708 pursuant to subsection (17) ~~(15)~~ or to submit revisions to
709 correct the issues ~~deficiencies~~.

710 (d)~~(e)~~ If the permit applicant submits revisions, the
711 local building official has the remainder of the tolled 10-day
712 or 5-day time period plus 5 business days ~~after the date of~~
713 ~~resubmittal~~ to issue the requested permit or to provide a second
714 written notice to the permit applicant stating which of the
715 previously identified forms or documents ~~plan features~~ remain
716 incomplete ~~in noncompliance with the applicable codes, with~~
717 ~~specific reference to the relevant code chapters and sections.~~
718 Any subsequent review by the local building official is limited
719 to the issues ~~deficiencies~~ cited in the original written notice.
720 If the local building official does not provide the second
721 written notice within the prescribed time period, the permit
722 must be deemed approved as a matter of law, and the local
723 building official must issue the permit on the next business
724 day.

725 (e)~~(d)~~ If the local building official provides a second

726 written notice ~~of plan deficiencies~~ to the permit applicant
727 within the prescribed time period, the permit applicant may
728 elect to dispute the issues raised in the second notice
729 ~~deficiencies~~ pursuant to subsection (17) ~~(15)~~ or to submit
730 additional revisions to correct the issues ~~deficiencies~~. For all
731 revisions submitted after the first revision, the local building
732 official has an additional 5 business days ~~after the date of~~
733 ~~resubmittal~~ to issue the requested permit or to provide a
734 written notice to the permit applicant stating which of the
735 previously identified forms or documents ~~plan features~~ remain
736 incomplete. If the local building official does not provide the
737 notice within the prescribed time period, the permit shall be
738 deemed approved as a matter of law, and the local building
739 official must issue the permit on the next business day in
740 ~~noncompliance with the applicable codes, with specific reference~~
741 ~~to the relevant code chapters and sections.~~

742 (9) ~~(8)~~ A private provider performing required inspections
743 under this section shall inspect each phase of construction as
744 required by the applicable codes. Such inspection, including a
745 single-trade inspection, may be performed in person or
746 virtually. The private provider may have a duly authorized
747 representative perform the required inspections, provided all
748 required reports are prepared by and bear the written or
749 electronic signature of the private provider or the private
750 provider's duly authorized representative. The duly authorized

751 representative must be an employee of the private provider
752 entitled to receive reemployment assistance benefits under
753 chapter 443. The contractor's contractual or legal obligations
754 are not relieved by any action of the private provider.

755 ~~(10)(9) A private provider performing required inspections~~
756 ~~under this section shall provide notice to the local building~~
757 ~~official of the approximate date and time of any such~~
758 ~~inspection.~~ The local building official may not prohibit the
759 private provider from performing any inspection outside the
760 local building official's normal operating hours, including
761 after hours, weekends, or holidays. ~~The local building official~~
762 ~~may visit the building site as often as necessary to verify that~~
763 ~~the private provider is performing all required inspections.~~ A
764 deficiency notice must be posted by the private provider, the
765 duly authorized representative of the private provider, or the
766 building department whenever a noncomplying item related to the
767 building code or the permitted documents is found. Such notice
768 may be physically posted at the job site or electronically
769 posted. After corrections are made, the item must be reinspected
770 by the private provider or the representative of the private
771 provider before being concealed. ~~Reinspection or reaudit fees~~
772 ~~shall not be charged by~~ The local jurisdiction may not charge
773 reinspection or reaudit fees as a result of the local
774 jurisdiction's audit inspection occurring before the performance
775 of the private provider's inspection or for any other

776 administrative matter not involving the detection of a violation
777 of the building code or a permit requirement.

778 (11) A local enforcement agency is not responsible for the
779 regulatory administration or supervision of building code
780 inspection services performed by a private provider hired by a
781 fee owner or the fee owner's contractor. A local enforcement
782 agency may not require additional verification of licensure or
783 insurance requirements beyond that which is required at
784 registration.

785 (12) ~~(10)~~ If the private provider is a person licensed as
786 an engineer under chapter 471 or an architect under chapter 481
787 and affixes his or her professional seal to the affidavit
788 required under subsection (7) ~~(6)~~, the local building official
789 must issue the requested permit or provide a written notice to
790 the permit applicant identifying the specific plan features that
791 do not comply with the applicable codes, as well as the specific
792 code chapters and sections, within 10 business days after
793 receipt of the permit application and affidavit. In such written
794 notice, the local building official must provide with
795 specificity the plan's deficiencies, the reasons the permit
796 application failed, and the applicable codes being violated. If
797 the local building official does not provide specific written
798 notice to the permit applicant within the prescribed 10-day
799 period, the permit application is deemed approved as a matter of
800 law, and the local building official must issue the permit on

the next business day.

(13)~~(11)~~ If equipment replacements and repairs must be performed in an emergency situation, subject to the emergency permitting provisions of the Florida Building Code, a private provider may perform emergency inspection services without first notifying the local building official ~~pursuant to subsection~~
~~(9)~~. A private provider must conduct the inspection within 3 business days after being contacted to conduct an emergency inspection and must submit the inspection report to the local building official within 1 day after the inspection is completed.

(14)~~(12)~~ Upon completing the required inspections at each applicable phase of construction, the private provider shall record such inspections on a form provided by the commission
~~acceptable to the local building official~~. The form must bear the written or electronic signature of the private provider or the private provider's duly authorized representative. These inspection records must ~~shall~~ reflect those inspections required by the applicable codes of each phase of construction for which permitting by a local enforcement agency is required. The private provider, upon completion of the required inspection, shall post each completed inspection record, indicating pass or fail, and provide the record to the local building official within 4 ~~2~~ business days. Such inspection record may be electronically posted by the private provider, or the private

826 provider may post such inspection record physically at the
827 project site. The private provider may electronically transmit
828 the record to the local building official. The local building
829 official may waive the requirement to provide a record of each
830 inspection within 4 2 business days if the record is
831 electronically posted or transmitted or posted at the project
832 site and all such inspection records are submitted with the
833 certificate of compliance. Unless the records have been
834 electronically posted or transmitted, records of all required
835 and completed inspections shall be maintained at the building
836 site at all times and made available for review by the local
837 building official. A local building official may not fail any
838 inspection performed by a private provider for not having the
839 inspection records at the job site if the inspection records
840 have been electronically transmitted to the local building
841 official within the 4-business-day requirement. The private
842 provider shall report to the local enforcement agency any
843 condition that poses an immediate threat to public safety and
844 welfare.

845 (15) ~~(13)~~ Upon completion of all required inspections, the
846 private provider firm shall prepare a certificate of compliance,
847 on a form provided by the commission ~~acceptable to the local~~
848 ~~building official~~, summarizing the inspections performed and
849 including a written representation, under oath, that the stated
850 inspections have been performed and that, to the best of the

private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes. The certificate of compliance may be signed by any qualified licensed individual employed full time by the private provider firm under whose authority the inspection was completed. The statement required of the private provider shall be substantially in the following form and shall be signed and sealed by a private provider as established in subsection (1) or may be electronically transmitted to the local building official:

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

~~(16) (a)-(14) (a)~~ The local building official may only perform building inspections of construction that a private provider has determined to be compliant with the applicable codes if the local building official has knowledge that the private provider did not perform the required inspections. If the local building official has such knowledge, the local building official must provide to the private provider written notice of the facts and circumstances upon which the local

876 building official relied for such knowledge before performing a
877 required inspection. The local building official may review
878 forms and documents required under this section for completeness
879 only. No more than 10 business days, or if the permit is related
880 to single-family or two-family dwellings then no more than 2
881 business days, after receipt of a request for a certificate of
882 occupancy or certificate of completion and the applicant's
883 presentation of a certificate of compliance and approval of all
884 other government approvals required by law, including the
885 payment of all outstanding fees, the local building official
886 shall issue the certificate of occupancy or certificate of
887 completion or provide a notice to the applicant of any
888 incomplete forms or documents required under this section
889 ~~identifying the specific deficiencies, as well as the specific~~
890 ~~code chapters and sections.~~

891 (b) If the local building official does not provide notice
892 of any incomplete forms or documents ~~the deficiencies~~ within the
893 applicable time periods under paragraph (a), the request for a
894 certificate of occupancy or certificate of completion is
895 automatically granted and deemed issued as of the next business
896 day. The local building official must provide the applicant with
897 the written certificate of occupancy or certificate of
898 completion within 10 days after it is automatically granted and
899 issued. To resolve any identified issues ~~deficiencies~~, the
900 applicant may elect to dispute the issues ~~deficiencies~~ pursuant

901 to subsection (17) ~~(15)~~ or to submit a corrected request for a
902 certificate of occupancy or certificate of completion.

903 (17)~~(15)~~ If the local building official determines that
904 the building construction or plans do not comply with the
905 applicable codes, the official may deny the permit or request
906 for a certificate of occupancy or certificate of completion, as
907 appropriate, or may issue a stop-work order for the project or
908 any portion thereof as provided by law, if the official
909 determines that the noncompliance poses an immediate threat to
910 public safety and welfare, subject to the following:

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

916 (b) If the local building official and private provider
917 are unable to resolve the dispute, the matter shall be referred
918 to the local enforcement agency's board of appeals, if one
919 exists, which shall consider the matter at its next scheduled
920 meeting or sooner. Any decisions by the local enforcement
921 agency's board of appeals, or local building official if there
922 is no board of appeals, may be appealed to the commission as
923 provided by this chapter.

924 (c) Notwithstanding any provision of this section, any
925 decisions regarding the issuance of a building permit,

926 certificate of occupancy, or certificate of completion may be
927 reviewed by the local enforcement agency's board of appeals, if
928 one exists. Any decision by the local enforcement agency's board
929 of appeals, or local building official if there is no board of
930 appeals, may be appealed to the commission as provided by this
931 chapter, which shall consider the matter at the commission's
932 next scheduled meeting.

933 (18)~~(16)~~ For the purposes of this section, any notice to
934 be provided by the local building official shall be deemed to be
935 provided to the person or entity when successfully transmitted
936 to the e-mail address listed for that person or entity in the
937 permit application or revised permit application, or, if no e-
938 mail address is stated, when actually received by that person or
939 entity.

940 (19)(a)~~(17)(a)~~ A local enforcement agency, local building
941 official, or local government may not adopt or enforce any laws,
942 rules, procedures, policies, qualifications, or standards more
943 stringent than those prescribed by this section.

944 ~~(b) A local enforcement agency, local building official,~~
945 ~~or local government may establish, for private providers,~~
946 ~~private provider firms, and duly authorized representatives~~
947 ~~working within that jurisdiction, a system of registration to~~
948 ~~verify compliance with the licensure requirements of paragraph~~
949 ~~(1)(n) and the insurance requirements of subsection (18).~~

950 (b)(e) This section does not limit the authority of the

951 local building official to issue a stop-work order for a
952 building project or any portion of the project, as provided by
953 law, if the official determines that a condition on the building
954 site constitutes an immediate threat to public safety and
955 welfare.

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

959 ~~(20)(18)~~ A private provider may perform building code
960 inspection services on a building project under this section
961 only if the private provider maintains insurance for
962 professional liability covering all services performed as a
963 private provider. Such insurance shall have minimum policy
964 limits of \$1 million per occurrence and \$2 million in the
965 aggregate for any project with a construction cost of \$5 million
966 or less and \$2 million per occurrence and \$4 million in the
967 aggregate for any project with a construction cost of over \$5
968 million. Nothing in this section limits the ability of a fee
969 owner to require additional insurance or higher policy limits.
970 For these purposes, the term "construction cost" means the total
971 cost of building construction as stated in the building permit
972 application. If the private provider chooses to secure claims-
973 made coverage to fulfill this requirement, the private provider
974 must also maintain coverage for a minimum of 5 years after
975 ~~subsequent to~~ the performance of building code inspection

976 services. The insurance required under this subsection shall be
977 written only by insurers authorized to do business in this state
978 with a minimum A.M. Best's rating of A. Before providing
979 building code inspection services within a local building
980 official's jurisdiction, a private provider must provide to the
981 local building official a certificate of insurance evidencing
982 that the coverages required under this subsection are in force.

983 (21)~~(19)~~ When performing building code inspection
984 services, a private provider is subject to the disciplinary
985 guidelines of the applicable professional board with
986 jurisdiction over his or her license or certification under
987 chapter 468, chapter 471, or chapter 481. All private providers
988 shall be subject to the disciplinary guidelines of s.
989 468.621(1)(c)-(h). Any complaint processing, investigation, and
990 discipline that arise out of a private provider's performance of
991 building code inspection services shall be conducted by the
992 applicable professional board.

993 (22)~~(20)~~ A local building code enforcement agency may not
994 audit the performance of building code inspection services by
995 private providers operating within the local jurisdiction until
996 the agency has created standard operating private provider audit
997 procedures for the agency's internal inspection and review
998 staff, which includes, at a minimum, the private provider audit
999 purpose and scope, private provider audit criteria, an
1000 explanation of private provider audit processes and objections,

1001 and detailed findings of areas of noncompliance. Such private
1002 provider audit procedures must be publicly available online, and
1003 a printed version must be readily accessible in agency
1004 buildings. The private provider audit results of staff for the
1005 prior two quarters also must be publicly available. The agency's
1006 audit processes must adhere to the agency's posted standard
1007 operating audit procedures. The same private provider or private
1008 provider firm may not be audited more than four times in a year
1009 unless the local building official determines a condition of a
1010 building constitutes an immediate threat to public safety and
1011 welfare, which must be communicated in writing to the private
1012 provider or private provider firm. The private provider or
1013 private provider firm must be given notice of each audit to be
1014 performed at least 5 business days before the audit. Work on a
1015 building or structure may proceed after inspection and approval
1016 by a private provider. The work may not be delayed for
1017 completion of an inspection audit by the local building code
1018 enforcement agency.

1019 ~~(23)-(21)~~ The local government, ~~the~~ local building
1020 official, and ~~their~~ building code enforcement personnel shall be
1021 immune from liability to any person or party for any action or
1022 inaction by a fee owner of a building, or by a private provider
1023 or its duly authorized representative, in connection with
1024 building code inspection services as authorized in this act. The
1025 local government, local enforcement agency, local building

1026 official, and building code enforcement personnel may not
1027 prohibit or discourage the use of a private provider or a
1028 private provider firm.

1029 ~~(24)(22)~~ Notwithstanding any other law, a county, a
1030 municipality, a school district, or an independent special
1031 district may use a private provider or a private provider firm,
1032 or may employ a licensed building inspector as described in s.
1033 468.603(5) (a) or a person who holds the same licensure or
1034 certification as a private provider, to provide building code
1035 inspection services for a public works project, an improvement,
1036 a building, or any other structure that is owned by the county,
1037 municipality, school district, or independent special district.

1038 **Section 6. Paragraph (a) of subsection (1) of section**
1039 **553.792, Florida Statutes, is amended to read:**

1040 553.792 Building permit application to local government.—

1041 (1)(a) A local government must approve, approve with
1042 conditions, or deny a building permit application after receipt
1043 of a completed and sufficient application within the following
1044 timeframes, unless the applicant waives such timeframes in
1045 writing:

1046 1. Within 5 business days after receiving a complete and
1047 sufficient application, for an applicant using a local
1048 government plans reviewer to obtain the following building
1049 permits for an existing single-family residential dwelling if
1050 the value of the work is less than \$15,000: structural,

1051 accessory structure, alarm, electrical, gas, irrigation,
1052 landscaping, mechanical, plumbing, or roofing.

1053 ~~2.4.~~ Within 30 business days after receiving a complete
1054 and sufficient application, for an applicant using a local
1055 government plans reviewer to obtain the following building
1056 permits if the structure is less than 7,500 square feet:
1057 residential units, including a single-family residential unit or
1058 a single-family residential dwelling, accessory structure,
1059 alarm, electrical, irrigation, landscaping, mechanical,
1060 plumbing, or roofing.

1061 ~~3.2.~~ Within 60 business days after receiving a complete
1062 and sufficient application, for an applicant using a local
1063 government plans reviewer to obtain the following building
1064 permits if the structure is 7,500 square feet or more:
1065 residential units, including a single-family residential unit or
1066 a single-family residential dwelling, accessory structure,
1067 alarm, electrical, irrigation, landscaping, mechanical,
1068 plumbing, or roofing.

1069 ~~4.3.~~ Within 60 business days after receiving a complete
1070 and sufficient application, for an applicant using a local
1071 government plans reviewer to obtain the following building
1072 permits: signs or nonresidential buildings that are less than
1073 25,000 square feet.

1074 ~~5.4.~~ Within 60 business days after receiving a complete
1075 and sufficient application, for an applicant using a local

government plans reviewer to obtain the following building permits: multifamily residential, not exceeding 50 units; site-plan approvals and subdivision plats not requiring public hearing or public notice; and lot grading and site alteration.

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

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

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

Section 7. Paragraphs (b) through (m) of subsection (1) of section 553.77, Florida Statutes, are redesignated as paragraphs (c) through (n), respectively, present paragraph (c) of that subsection is amended, and a new paragraph (b) is added to that subsection, to read:

1101 553.77 Specific powers of the commission.—

1102 (1) The commission shall:

1103 (b) By July 1, 2027, adopt by rule a uniform commercial
1104 building permit application to be used statewide for commercial
1105 construction projects and a uniform residential building permit
1106 application to be used statewide for residential construction
1107 projects. To the extent feasible, the uniform commercial
1108 building permit application and the uniform residential building
1109 permit application adopted by the commission must be capable of
1110 integration with existing building permit software systems used
1111 by local governments and must account for local amendments to
1112 the Florida Building Code.

1113 (d)-(e) Upon written application by any substantially
1114 affected person or a local enforcement agency, issue declaratory
1115 statements pursuant to s. 120.565 relating to new technologies,
1116 techniques, and materials which have been tested where necessary
1117 and found to meet the objectives of the Florida Building Code.
1118 This paragraph does not apply to the types of products,
1119 materials, devices, or methods of construction required to be
1120 approved under paragraph (g) ~~(f)~~.

1121 **Section 8. Section 553.796, Florida Statutes, is created**
1122 **to read:**

1123 553.796 Building permits for residential distributed
1124 energy generation systems and backup power systems.—

1125 (1) As used in this section, the term:

1126 (a) "Backup power system" means equipment and associated
1127 components installed as a fixture at a one-family or two-family
1128 dwelling or townhouse to generate or store electrical energy
1129 primarily for intermittent use for the purpose of providing on-
1130 site electrical power during utility outages, load management,
1131 resiliency, or other similar purposes and which is capable of
1132 providing no more than 50 kilowatts of electrical output to the
1133 dwelling or townhouse or, if the system includes energy storage,
1134 has an aggregate storage capacity of no more than 100 kilowatt
1135 hours. The term does not include a distributed energy generation
1136 system.

1137 (b) "Distributed energy generation system" means equipment
1138 and associated components installed as a fixture at a one-family
1139 or two-family dwelling or townhouse used to generate electrical
1140 energy primarily for the purpose of offsetting part or all of
1141 the electricity requirements of the dwelling or townhouse and
1142 which is capable of providing no more than 50 kilowatts of
1143 electrical output to the dwelling or townhouse.

1144 (2) (a) A local enforcement agency must issue a building
1145 permit for the design, installation, relocation, replacement, or
1146 repair of a distributed energy generation system that is
1147 installed by a contractor licensed under chapter 489 who is
1148 qualified to install such system or a public utility that is
1149 exempt from licensure under s. 489.503(4) or 489.103(5), if
1150 plans that are signed and sealed by a licensed professional

1151 engineer have been submitted to the local enforcement agency.
1152 Such contractor, and not the local enforcement agency, must
1153 determine if the system meets the definition of a distributed
1154 energy generation system. The local enforcement agency shall
1155 issue the permit within 1 business day after the date on which
1156 an application is submitted and may not require any additional
1157 plans review or other approval as a condition of issuing the
1158 permit. The licensed contractor may commence work immediately
1159 upon submitting such application under this section and does not
1160 have to wait for the permit to be issued; however, all rules
1161 relating to interconnection of the system must be complied with
1162 before using the interconnection.

1163 (b) A local enforcement agency must issue a building
1164 permit for the design, installation, relocation, replacement, or
1165 repair of a backup power system that is installed by a
1166 contractor licensed under chapter 489 or chapter 527 who is
1167 qualified to install such system or a public utility that is
1168 exempt from licensure under s. 489.503(4) or 489.103(5). Such
1169 contractor, and not the local enforcement agency, must determine
1170 if the system meets the definition of a backup power system. The
1171 local enforcement agency shall issue the permit within 1
1172 business day after the date on which an application is submitted
1173 and may not require any additional plans review or other
1174 approval as a condition of issuing the permit. The licensed
1175 contractor may commence work immediately upon submitting such

1176 application under this section and does not have to wait for the
1177 permit to be issued.

1178 (3) The installation of a distributed energy generation
1179 system or backup power system performed by an owner and not a
1180 contractor does not qualify for permitting under subsection (2)
1181 and the owner must proceed under otherwise applicable permitting
1182 requirements. This section does not authorize unlicensed
1183 contracting.

1184 (4) Notwithstanding chapters 125 and 166 or any other law,
1185 a county, municipality, or special district may not adopt or
1186 enforce an ordinance, a rule, or any other measure relating to
1187 the installation, relocation, replacement, or repair of a
1188 distributed energy generation system or backup power system,
1189 beyond enforcing the standards contained in the Florida Building
1190 Code and the Florida Fire Prevention Code.

1191 (5) (a) A local enforcement agency may conduct an
1192 inspection, in person or virtually, of a distributed energy
1193 generation system or backup power system to verify compliance
1194 with the Florida Building Code and the Florida Fire Prevention
1195 Code. A local enforcement agency may not require more than one
1196 inspection of a backup power system except in the case of
1197 noncompliance as provided in subsection (6).

1198 (b) An owner or the owner's contractor may choose to have
1199 the inspection of a distributed energy generation system or
1200 backup power system performed by a private provider in

1201 accordance with s. 553.791. A private provider must adhere to
1202 the timelines for emergency inspections and submittal
1203 requirements of inspection reports. The procedures in s.
1204 553.791(13) apply to inspections under this section that are
1205 performed by a private provider.

1206 (6) If a local enforcement agency finds that an owner or
1207 the owner's contractor has not complied with this section, the
1208 local enforcement agency must provide to the owner or contractor
1209 a written notice of correction that cites the specific code
1210 sections that are out of compliance and the required remedy to
1211 correct such noncompliance. The local enforcement agency may
1212 issue a stop-work order only to address an immediate danger to
1213 life or safety and only for the affected portion of the work
1214 being performed. Upon request by the owner or the owner's
1215 contractor after the noncompliance has been corrected, the local
1216 enforcement agency must reinspect the work within 2 business
1217 days after such request or on the next day inspections are being
1218 conducted, whichever is earlier. If a reinspection does not
1219 occur within the required timeframe, a private provider
1220 inspection report completed pursuant to s. 553.791 constitutes
1221 acceptance and approval on the part of the local enforcement
1222 agency upon submission by the contractor.

1223 (7) A failed inspection report of a distributed energy
1224 generation system or backup power system installed at or serving
1225 an existing and occupied one-family or two-family dwelling or

townhouse may not be the sole basis for a local enforcement agency to withhold or revoke a certificate of occupancy for the dwelling or townhouse. Instead, the local enforcement agency may withhold authorization to energize the distributed energy generation system or backup power system until any corrections are performed and verified.

(8) (a) A person who installs, alters, replaces, repairs, or modifies a distributed energy generation system or backup power system must notify each entity that supplies energy or fuel to the dwelling or townhouse to which the system is affixed. Such notification must be made within a reasonable timeframe before the date on which the system is installed, altered, replaced, repaired, or modified.

(b) As applicable, one or more of the following entities require notification under paragraph (a):

1. An electric utility as defined in s. 366.02.
2. A natural gas utility as defined in s. 366.04(3)(c).
3. A category I liquefied petroleum gas dealer as defined in s. 527.01(6).

(9) This section does not alter or abridge the jurisdiction of the Public Service Commission under chapter 366, the exemptions for municipal utilities and cooperatives under s. 366.11, or the requirements adopted pursuant to s. 366.91 relating to interconnection and net metering. This section does not affect any tariff, service policy, or interconnection

1251 requirement of a utility or cooperative.

1252 **Section 9. Paragraph (c) is added to subsection (1) of**
1253 **section 720.3035, Florida Statutes, to read:**

1254 720.3035 Architectural control covenants; parcel owner
1255 improvements; rights and privileges.—

1256 (1)

1257 (c) An association or any architectural, construction
1258 improvement, or other such similar committee of an association
1259 may not require a building permit to be issued by a governmental
1260 authority to a parcel owner as a prerequisite for review by the
1261 association or committee concerning the construction of
1262 structures or improvements on the parcel.

1263 **Section 10.** This act shall take effect July 1, 2026.