

A bill to be entitled  
An act relating to building permits and inspections; amending s. 125.56, F.S.; providing for expiration of certain building permits issued by a county; providing construction; amending s. 489.129, F.S.; providing that certain persons are not subject to discipline for performing a job without applicable permits and inspections if otherwise authorized by law; amending s. 553.382, F.S.; prohibiting the Department of Business and Professional Regulation from denying a building permit for certain residential manufactured buildings; requiring certain housing units to be taxed in a certain manner; amending s. 553.79, F.S.; providing for expiration of certain building permits issued by a local government; providing construction; providing prohibitions for inspection fees; prohibiting a local government from requiring building permits for certain projects; providing an exception; prohibiting a construction project from being divided into multiple projects for a certain purpose; requiring a notice of permit exemption with specified information to be filed within a certain timeframe under certain circumstances; providing that local governments do not have a duty to certain persons; 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.

126

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

128

129 **Section 1. Paragraph (d) of subsection (4) of section**

130 **125.56, Florida Statutes, is amended to read:**

131 125.56 Enforcement and amendment of the Florida Building  
132 Code and the Florida Fire Prevention Code; inspection fees;  
133 inspectors; etc.—

134 (4)

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

147 **Section 2. Paragraph (o) of subsection (1) of section**

148 **489.129, Florida Statutes, is amended to read:**

149 489.129 Disciplinary proceedings.—

150 (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

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

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

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

372 (g) "Electronic signature" means any letters, characters,  
373 or symbols manifested by electronic or similar means which are  
374 executed or adopted by a party with an intent to authenticate a  
375 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.

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

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

428 (n) "Private provider" means a person licensed as a  
429 building code administrator under part XII of chapter 468, as an  
430 engineer under chapter 471, or as an architect under chapter  
431 481. For purposes of performing inspections under this section  
432 for additions and alterations that are limited to 1,000 square  
433 feet or less to residential buildings, the term "private  
434 provider" also includes a person who holds a standard  
435 certificate under part XII of chapter 468.

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

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

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

450 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) (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) 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) 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) If the local building official provides a second

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

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

801 the next business day.

802 (13)~~(11)~~ If equipment replacements and repairs must be  
803 performed in an emergency situation, subject to the emergency  
804 permitting provisions of the Florida Building Code, a private  
805 provider may perform emergency inspection services without first  
806 notifying the local building official ~~pursuant to subsection~~  
807 ~~(9)~~. A private provider must conduct the inspection within 3  
808 business days after being contacted to conduct an emergency  
809 inspection and must submit the inspection report to the local  
810 building official within 1 day after the inspection is  
811 completed.

812 (14)~~(12)~~ Upon completing the required inspections at each  
813 applicable phase of construction, the private provider shall  
814 record such inspections on a form provided by the commission  
~~acceptable to the local building official~~. The form must bear  
815 the written or electronic signature of the private provider or  
816 the private provider's duly authorized representative. These  
817 inspection records must ~~shall~~ reflect those inspections required  
818 by the applicable codes of each phase of construction for which  
819 permitting by a local enforcement agency is required. The  
820 private provider, upon completion of the required inspection,  
821 shall post each completed inspection record, indicating pass or  
822 fail, and provide the record to the local building official  
823 within 4 ~~2~~ business days. Such inspection record may be  
824 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

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

861  
862 To the best of my knowledge and belief, the building  
863 components and site improvements outlined herein and  
864 inspected under my authority have been completed in  
865 conformance with the approved plans and the applicable  
866 codes.

867  
868 (16) (a) (14) (a) The local building official may only  
869 perform building inspections of construction that a private  
870 provider has determined to be compliant with the applicable  
871 codes if the local building official has knowledge that the  
872 private provider did not perform the required inspections. If  
873 the local building official has such knowledge, the local  
874 building official must provide to the private provider written  
875 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  
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 2.1. 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

1076 government plans reviewer to obtain the following building  
1077 permits: multifamily residential, not exceeding 50 units; site-  
1078 plan approvals and subdivision plats not requiring public  
1079 hearing or public notice; and lot grading and site alteration.

1080 6.5. Within 12 business days after receiving a complete  
1081 and sufficient application, for an applicant using a master  
1082 building permit consistent with s. 553.794 to obtain a site-  
1083 specific building permit.

1084 7.6. Within 10 business days after receiving a complete  
1085 and sufficient application, for an applicant for a single-family  
1086 residential dwelling applied for by a contractor licensed in  
1087 this state on behalf of a property owner who participates in a  
1088 Community Development Block Grant-Disaster Recovery program  
1089 ~~administered by the Department of Commerce~~, unless the permit  
1090 application fails to satisfy the Florida Building Code or the  
1091 enforcing agency's laws or ordinances.

1092  
1093 However, the local government may not require the waiver of the  
1094 timeframes in this section as a condition precedent to reviewing  
1095 an applicant's building permit application.

1096 **Section 7. Paragraphs (b) through (m) of subsection (1) of**  
1097 **section 553.77, Florida Statutes, are redesignated as paragraphs**  
1098 **(c) through (n), respectively, present paragraph (c) of that**  
1099 **subsection is amended, and a new paragraph (b) is added to that**  
1100 **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

1226 townhouse may not be the sole basis for a local enforcement  
1227 agency to withhold or revoke a certificate of occupancy for the  
1228 dwelling or townhouse. Instead, the local enforcement agency may  
1229 withhold authorization to energize the distributed energy  
1230 generation system or backup power system until any corrections  
1231 are performed and verified.

1232 (8) (a) A person who installs, alters, replaces, repairs,  
1233 or modifies a distributed energy generation system or backup  
1234 power system must notify each entity that supplies energy or  
1235 fuel to the dwelling or townhouse to which the system is  
1236 affixed. Such notification must be made within a reasonable  
1237 timeframe before the date on which the system is installed,  
1238 altered, replaced, repaired, or modified.

1239 (b) As applicable, one or more of the following entities  
1240 require notification under paragraph (a):

1241 1. An electric utility as defined in s. 366.02.  
1242 2. A natural gas utility as defined in s. 366.04(3)(c).  
1243 3. A category I liquefied petroleum gas dealer as defined  
1244 in s. 527.01(6).

1245 (9) This section does not alter or abridge the  
1246 jurisdiction of the Public Service Commission under chapter 366,  
1247 the exemptions for municipal utilities and cooperatives under s.  
1248 366.11, or the requirements adopted pursuant to s. 366.91  
1249 relating to interconnection and net metering. This section does  
1250 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.