

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Sapp offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 125.022, Florida Statutes, is amended to read:

125.022 Development permits and orders; development preapplication consulting services program required.-

(1) (a) By January 1, 2027, each county with a population of 75,000 or greater shall create and implement a program for the purpose of making available development preapplication consultation services at an applicant's request. Nothing in this subsection shall be construed to affect or require the modification of a county program which makes available the same or substantially similar development preapplication consulting

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17 services to an applicant for a development permit or development
18 order, including a program which requires mandatory
19 preapplication meetings for specified types of developments, if
20 such county program existed on or before July 1, 2026.

21 1. The preapplication services authorized in this
22 paragraph are limited to those applications for permits as
23 defined in s. 163.3169.

24 2. The county may use a qualified contractor or a
25 qualified contractor firm as defined in s. 163.3169 to fulfill
26 the preapplication consultation services required in this
27 paragraph.

28 (b) A development preapplication consultation services
29 program implemented under paragraph (a) must, at a minimum,
30 provide:

31 1. The minimum information that must be submitted in an
32 application for a permit as defined in s. 163.3169; and

33 2. Review and precertification of completeness of the
34 application and all related documents, including site
35 engineering plans or site plans, or their functional equivalent,
36 or plats, and their compliance with all relevant existing land
37 development regulations.

38 (c) If an applicant chooses to use the development
39 preapplication consultation services implemented under this
40 subsection, the county, upon receipt of the proposed development
41 application, shall confirm receipt, verify completeness, and

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42 issue a written notification to the applicant indicating that
43 all required information is submitted or specify in writing with
44 particularity any areas that are deficient within 5 business
45 days. If the application is deficient, the applicant has 30 days
46 to address the deficiencies by submitting the required
47 additional information. If the county fails to issue the written
48 notification within 5 business days, the application shall be
49 deemed complete by operation of law without conditions, and the
50 county shall process the application as required in paragraph
51 (d).

52 (d) Upon receipt of the applicant's completed application
53 the county shall process the application for final action and
54 must approve, approve with conditions, or deny the application
55 within 45 days of submission of a complete application, except
56 the county shall not review again those plans under subparagraph
57 (b)2. If the county fails to take final action to approve,
58 approve with conditions, or deny the application within the 45-
59 day period prescribed by this subsection, the applicant shall
60 notify the county in writing and if the local government fails
61 to respond within 10 days the application shall be deemed
62 approved by operation of law without conditions, and the
63 applicant shall be entitled to proceed with the proposed
64 activity or development as though the county had granted
65 unconditional approval; provided, however, that such deemed
66 approval shall not relieve the applicant of the obligation to

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67 comply with all other applicable federal, state, and local laws,
68 regulations, and ordinances.

69 (2)-(1) If an applicant for a development permit or
70 development order is not eligible, does not request, or elects
71 not to use the county's development preapplication consulting
72 services program in subsection (1), the a county shall specify
73 in writing the minimum information that must be submitted in an
74 application for a zoning approval, rezoning approval,
75 subdivision approval, certification, special exception, or
76 variance. A county shall make the minimum information available
77 for inspection and copying at the location where the county
78 receives applications for development permits and orders,
79 provide the information to the applicant at a preapplication
80 meeting, or post the information on the county's website.

81 (3)-(2) Within 5 business days after receiving an
82 application for approval of a development permit or development
83 order, a county shall confirm receipt of the application using
84 contact information provided by the applicant. Within 30 days
85 after receiving an application for approval of a development
86 permit or development order, a county must review the
87 application for completeness and issue a written notification to
88 the applicant indicating that all required information is
89 submitted or specify in writing with particularity any areas
90 that are deficient. If the application is deficient, the

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91 applicant has 30 days to address the deficiencies by submitting
92 the required additional information.

93 (a) For applications that do not require final action
94 through a quasi-judicial hearing or a public hearing, the county
95 must approve, approve with conditions, or deny the application
96 for a development permit or development order within 120 days
97 after the county has deemed the application complete.

98 (b) For applications that require final action through a
99 quasi-judicial hearing or a public hearing, the county must
100 approve, approve with conditions, or deny the application for a
101 development permit or development order within 180 days after
102 the county has deemed the application complete.

103 (c) Both parties may agree in writing or in a public
104 meeting or hearing to an extension of time, particularly in the
105 event of a force majeure or other extraordinary circumstance. An
106 approval, approval with conditions, or denial of the application
107 for a development permit or development order must include
108 written findings supporting the county's decision.

109 (d) The timeframes contained in this subsection do not
110 apply in an area of critical state concern, as designated in s.
111 380.0552. The timeframes contained in this subsection restart if
112 an applicant makes a substantive change to the application. As
113 used in this subsection, the term "substantive change" means an
114 applicant-initiated change of 15 percent or more in the proposed
115 density, intensity, or square footage of a parcel.

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116 ~~(4)~~(3)(a) When reviewing an application for a development
117 permit or development order that is certified by a professional
118 listed in s. 403.0877, a county may not request additional
119 information from the applicant more than three times, unless the
120 applicant waives the limitation in writing.

121 (b) If a county makes a request for additional information
122 and the applicant submits the required additional information
123 within 30 days after receiving the request, the county must
124 review the application for completeness and issue a letter
125 indicating that all required information has been submitted or
126 specify with particularity any areas that are deficient within
127 30 days after receiving the additional information.

128 (c) If a county makes a second request for additional
129 information and the applicant submits the required additional
130 information within 30 days after receiving the request, the
131 county must review the application for completeness and issue a
132 letter indicating that all required information has been
133 submitted or specify with particularity any areas that are
134 deficient within 10 days after receiving the additional
135 information.

136 (d) Before a third request for additional information, the
137 applicant must be offered a meeting to attempt to resolve
138 outstanding issues. If a county makes a third request for
139 additional information and the applicant submits the required
140 additional information within 30 days after receiving the

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141 request, the county must deem the application complete within 10
142 days after receiving the additional information or proceed to
143 process the application for approval or denial unless the
144 applicant waived the county's limitation in writing as described
145 in paragraph (a).

146 (e) Except as provided in subsection (8)~~(7)~~, if the
147 applicant believes the request for additional information is not
148 authorized by ordinance, rule, statute, or other legal
149 authority, the county, at the applicant's request, shall proceed
150 to process the application for approval or denial.

151 (5)~~(4)~~ A county must issue a refund to an applicant equal
152 to:

153 (a) Ten percent of the application fee if the county fails
154 to issue written notification of completeness or written
155 specification of areas of deficiency within 30 days after
156 receiving the application.

157 (b) Ten percent of the application fee if the county fails
158 to issue a written notification of completeness or written
159 specification of areas of deficiency within 30 days after
160 receiving the additional information pursuant to paragraph
161 (4)~~(3)~~ (b).

162 (c) Twenty percent of the application fee if the county
163 fails to issue a written notification of completeness or written
164 specification of areas of deficiency within 10 days after

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165 receiving the additional information pursuant to paragraph
166 (4)~~(3)~~(c).

167 (d) Fifty percent of the application fee if the county
168 fails to approve, approves with conditions, or denies the
169 application within 30 days after conclusion of the timeframes
170 ~~120-day or 180-day timeframe~~ specified in paragraphs (1)(d),
171 (3)(a) or (3)(b) subsection (2).

172 (e) One hundred percent of the application fee if the
173 county fails to approve, approves with conditions, or denies an
174 application 31 days or more after conclusion of the timeframes
175 ~~120-day or 180-day timeframe~~ specified in paragraphs (1)(d),
176 (3)(a) or (3)(b) subsection (2).

177
178 A county is not required to issue a refund if the applicant and
179 the county agree to an extension of time, the delay is caused by
180 the applicant, or the delay is attributable to a force majeure
181 or other extraordinary circumstance.

182 (6)~~(5)~~ When a county denies an application for a
183 development permit or development order, the county shall give
184 written notice to the applicant. The notice must include a
185 citation to the applicable portions of an ordinance, rule,
186 statute, or other legal authority for the denial of the permit
187 or order.

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188 ~~(7)(6)~~ As used in this section, the terms "development
189 permit" and "development order" have the same meaning as in s.
190 163.3164, but do not include building permits.

191 ~~(8)(7)~~ For any development permit application filed with
192 the county after July 1, 2012, a county may not require as a
193 condition of processing or issuing a development permit or
194 development order that an applicant obtain a permit or approval
195 from any state or federal agency unless the agency has issued a
196 final agency action that denies the federal or state permit
197 before the county action on the local development permit.

198 (8) Issuance of a development permit or development order
199 by a county does not in any way create any rights on the part of
200 the applicant to obtain a permit from a state or federal agency
201 and does not create any liability on the part of the county for
202 issuance of the permit if the applicant fails to obtain
203 requisite approvals or fulfill the obligations imposed by a
204 state or federal agency or undertakes actions that result in a
205 violation of state or federal law. A county shall attach such a
206 disclaimer to the issuance of a development permit and shall
207 include a permit condition that all other applicable state or
208 federal permits be obtained before commencement of the
209 development.

210 (9) This section does not prohibit a county from providing
211 information to an applicant regarding what other state or
212 federal permits may apply.

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213 **Section 2. Section 163.3169, Florida Statutes, is created**
214 **to read:**

215 163.3169 Use of qualified contractors.-

216 (1) DEFINITIONS.-As used in this section, the term:

217 (a) "Applicant" means a person or legal entity having a
218 legal or equitable ownership interest in real property, or an
219 authorized agent acting on behalf of such person or entity, that
220 applies for a permit from the local government pursuant to this
221 section.

222 (b) "Conflict of interest" has the same meaning as in s.
223 112.312 and includes conflicts of interest recognized under
224 applicable licensing or certification standards applicable to
225 the qualified contractor.

226 (c) "Governing body" has the same meaning as in s.
227 163.3164.

228 (d) "Local government" means:

229 1. A county that has 75,000 or more residents, but does
230 not include a county subject to s. 380.0552; or

231 2. A municipality that has 10,000 or more residents.

232 (e) "Site plan or development plan approval" means a site
233 development proposal, or its functional equivalent, including a
234 modification to an existing development approval, that is
235 expressly designated by the local government for administrative
236 review and approval by local government staff or a designated
237 administrative official, without the requirement of approval by

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238 an appointed review board or a governing body and that does not
239 materially increase density, intensity, traffic, infrastructure
240 demand, environmental impacts, or significant off-site impacts,
241 and therefore does not require full site plan review or
242 discretionary policy review. The term includes approvals or
243 permits governed by objective, nondiscretionary standards that
244 are designated by the local government for administrative
245 approval by local government staff or an administrative official
246 and which also includes, but is not limited to, approvals or
247 permits related to trees, signs, landscaping, and minor
248 modifications.

249 (f) "Subdivision approval" or its functional equivalent,
250 including a modification, means an administrative review process
251 applicable to the division of land into a limited number of lots
252 that does not create new public streets, require significant
253 public infrastructure improvements, and materially increase
254 development impacts. The term applies only to approvals
255 expressly designated by the local government for administrative
256 review and approval by local government staff, or a designated
257 administrator without the requirement of approval by an
258 appointed review board or a governing body. A subdivision
259 qualifies under this definition if it involves a number of lots
260 as specified by the local government; complies with all
261 applicable zoning, dimensional, access utility, and
262 environmental standards; and can be served by existing public

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263 facilities or approved private systems, allowing the subdivision
264 to be reviewed for compliance with objective standards of land
265 development code and approved by local government staff or a
266 designated administrative official without requiring
267 discretionary policy determinations.

268 (g) "Permit" means an authorization, approval, or grant by
269 a local governing body that authorizes the development of land
270 for any site plan or development plan approval, or any
271 subdivision approval. For the purposes of this section, a permit
272 does not include the review and approval of any other
273 development permit.

274 (h) "Plans" has the same meaning as in s. 177.073.

275 (i) "Plat or replat" has the same meaning as in s.
276 177.031.

277 (j) "Preliminary plat" has the same meaning as in s.
278 177.073.

279 (k) "Qualified contractor" means a person or firm that has
280 demonstrated knowledge of and experience with the types of
281 permits or development approvals specified in this section and
282 includes, an engineer or engineering firm licensed under chapter
283 471; a surveyor or mapper or a surveyor's or mapper's firm
284 licensed under chapter 472; an architect or architecture firm
285 licensed under part I of chapter 481; a landscape architect or
286 landscape architecture firm registered under part II of chapter
287 481; or who is certified by the American Institute of Certified

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288 Planners with at least five years of relevant government
289 experience, or at least ten years of relevant experience as an
290 urban planner if not certified.

291 (1) "Qualified contractor firm" means a business
292 organization, including a corporation, partnership, business
293 trust, or other legal entity, which offers services under this
294 section to the public through licensees who are acting as
295 agents, employees, officers, or partners of the firm. A person
296 who is licensed as an engineer under chapter 471; a surveyor or
297 mapper licensed under chapter 472; an architect licensed under
298 part I of chapter 481; a landscape architect registered under
299 part II of chapter 481; or who is certified by the American
300 Institute of Certified Planners with at least five years of
301 relevant government experience, or at least ten years of
302 relevant experience as an urban planner if not certified, may
303 act as a qualified contractor for an agent, employee, or officer
304 of the qualified contractor firm.

305 (2) By January 1, 2027 a local government shall establish
306 a registry of at least four qualified contractors or two
307 qualified contractor firms, whom the governing body shall use to
308 supplement local government staff resources in ways determined
309 by the governing body upon the written request by an applicant
310 for fulfilling:

311 (a) The preapplication consultation requirements of ss.
312 125.022(1) and 166.033(1) for permits;

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313 (b) The requirements of s. 177.073 for processing and
314 expediting the review of an application for a preliminary plat
315 or any plans related to such application; and

316 (c) The requirements of s. 177.071 requiring the
317 administrative approval of a plat or replat.

318 (3) A qualified contractor or a qualified contractor firm
319 on the registry who is hired pursuant to this section may not
320 have a conflict of interest. If upon satisfying the registry
321 requirements in subsection (2) and a prohibitive conflict of
322 interest exists, the applicant may utilize an otherwise
323 qualified contractor.

324 (4) A local government may enter into an agreement with
325 another local government for the purpose of using public
326 employees who meet the requirements of a qualified contractor to
327 satisfy, in part thereof, the requirements of subsection (2). A
328 local government may not add its own employees to its own
329 registry.

330 (5) If a local government fails to establish or maintain
331 the registry, an applicant may, at its sole discretion, retain a
332 qualified contractor or a qualified contractor firm of the
333 applicant's choosing to provide services authorized in paragraph
334 (2) (a), paragraph (2) (b), or paragraph (2) (c), provided that the
335 selected qualified contractor or qualified contractor firm does
336 not have a conflict of interest. If a conflict of interest is
337 identified after selection, the applicant must promptly replace

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338 the qualified contractor or qualified contractor firm with one
339 who has no conflict of interest.

340 (a) The local government may not condition, delay, or deny
341 the applicant's use of a qualified contractor, or a qualified
342 contractor firm and the applicant shall be responsible for all
343 fees and costs associated with the qualified contractor or the
344 qualified contractor firm used in this manner.

345 (b) If an applicant uses a qualified contractor or a
346 qualified contractor firm in this manner, the local government
347 must provide access to public records and information reasonably
348 necessary to perform the services authorized in paragraphs
349 (2) (a), (2) (b), and (2) (c). This paragraph does not authorize
350 the disclosure of records that are confidential or exempt from
351 public inspection or copying under chapter 119 or any other
352 applicable law, and access to such records is provided only to
353 the extent permitted by law. This paragraph may not be construed
354 to require a local government to violate the licensing terms of
355 proprietary software or related vendor agreements.

356 **Section 3. Section 166.033, Florida Statutes, is amended**
357 **to read:**

358 Development permits and orders; development preapplication
359 consulting services program required.-

360 (1) (a) By January 1, 2027, each municipality with a
361 population of 10,000 or greater shall create and implement a
362 program for the purpose of making available development

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363 preapplication consultation services at an applicant's request.
364 Nothing in this subsection shall be construed to affect or
365 require the modification of a municipal program which makes
366 available the same or substantially similar development
367 preapplication consulting services to an applicant for a
368 development permit or development order, including a program
369 which requires mandatory preapplication meetings for specified
370 types of developments, if such municipal program existed on or
371 before July 1, 2026.

372 1. The preapplication services authorized in this
373 paragraph are limited to those applications for permits as
374 defined in s. 163.3169.

375 2. The municipality may use a qualified contractor or a
376 qualified contractor firm, as those terms are defined in s.
377 163.3169, to fulfill the preapplication consultation services
378 required in this paragraph.

379 (b) A development preapplication consultation services
380 program implemented under paragraph (a) must, at minimum,
381 provide:

382 1. The minimum information that must be submitted in an
383 application for a permit as defined in s. 163.3169; and

384 2. Review and precertification of completeness of the
385 application and all related documents, including site
386 engineering plans or site plans, or their functional equivalent,

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387 or plats, and their compliance with all relevant existing land
388 development regulations.

389 (c) If an applicant chooses to use the development
390 preapplication consultation services implemented under this
391 subsection, the municipality, upon receipt of the proposed
392 development application, shall confirm receipt, verify
393 completeness, and issue a written notification to the applicant
394 indicating that all required information is submitted or specify
395 in writing with particularity any areas that are deficient
396 within 5 business days. If the application is deficient, the
397 applicant has 30 days to address the deficiencies by submitting
398 the required additional information. If the municipality fails
399 to issue the written notification within 5 business days, the
400 application shall be deemed complete by operation of law without
401 conditions, and the municipality shall process the application
402 as required in paragraph (d).

403 (d) Upon receipt of the applicant's completed application
404 the municipality shall process the application for final action
405 and must approve, approve with conditions, or deny the
406 application within 45 days of submission of a complete
407 application, except the municipality shall not review again
408 those plans under subparagraph (b)2. If the municipality fails
409 to take final action to approve, approve with conditions, or
410 deny the application within the 45-day period prescribed by this
411 subsection, the applicant shall notify the local government in

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412 writing and if the municipality fails to respond within 10 days
413 the application shall be deemed approved by operation of law
414 without conditions, and the applicant shall be entitled to
415 proceed with the proposed activity or development as though the
416 municipality had granted unconditional approval; provided,
417 however, that such deemed approval shall not relieve the
418 applicant of the obligation to comply with all other applicable
419 federal, state, and local laws, regulations, and ordinances.

420 (2)-(1) If an applicant for a development permit or
421 development order is not eligible, does not request or elects
422 not to use a municipality's development preapplication
423 consulting services program in subsection (1), the a
424 municipality shall specify in writing the minimum information
425 that must be submitted for an application for a zoning approval,
426 rezoning approval, subdivision approval, certification, special
427 exception, or variance. A municipality shall make the minimum
428 information available for inspection and copying at the location
429 where the municipality receives applications for development
430 permits and orders, provide the information to the applicant at
431 a preapplication meeting, or post the information on the
432 municipality's website.

433 (3)-(2) Within 5 business days after receiving an
434 application for approval of a development permit or development
435 order, a municipality shall confirm receipt of the application
436 using contact information provided by the applicant. Within 30

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437 days after receiving an application for approval of a
438 development permit or development order, a municipality must
439 review the application for completeness and issue a written
440 notification to the applicant indicating that all required
441 information is submitted or specify in writing with
442 particularity any areas that are deficient. If the application
443 is deficient, the applicant has 30 days to address the
444 deficiencies by submitting the required additional information.

445 (a) For applications that do not require final action
446 through a quasi-judicial hearing or a public hearing, the
447 municipality must approve, approve with conditions, or deny the
448 application for a development permit or development order within
449 120 days after the municipality has deemed the application
450 complete.

451 (b) For applications that require final action through a
452 quasi-judicial hearing or a public hearing, the municipality
453 must approve, approve with conditions, or deny the application
454 for a development permit or development order within 180 days
455 after the municipality has deemed the application complete.

456 (c) Both parties may agree in writing or in a public
457 meeting or hearing to an extension of time, particularly in the
458 event of a force majeure or other extraordinary circumstance. An
459 approval, approval with conditions, or denial of the application
460 for a development permit or development order must include
461 written findings supporting the municipality's decision.

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462 (d) The timeframes contained in this subsection do not
463 apply in an area of critical state concern, as designated in s.
464 380.0552 or chapter 28-36, Florida Administrative Code. The
465 timeframes contained in this subsection restart if an applicant
466 makes a substantive change to the application. As used in this
467 subsection, the term "substantive change" means an applicant-
468 initiated change of 15 percent or more in the proposed density,
469 intensity, or square footage of a parcel.

470 ~~(4)~~(3)(a) When reviewing an application for a development
471 permit or development order that is certified by a professional
472 listed in s. 403.0877, a municipality may not request additional
473 information from the applicant more than three times, unless the
474 applicant waives the limitation in writing.

475 (b) If a municipality makes a request for additional
476 information and the applicant submits the required additional
477 information within 30 days after receiving the request, the
478 municipality must review the application for completeness and
479 issue a letter indicating that all required information has been
480 submitted or specify with particularity any areas that are
481 deficient within 30 days after receiving the additional
482 information.

483 (c) If a municipality makes a second request for
484 additional information and the applicant submits the required
485 additional information within 30 days after receiving the
486 request, the municipality must review the application for

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487 completeness and issue a letter indicating that all required
488 information has been submitted or specify with particularity any
489 areas that are deficient within 10 days after receiving the
490 additional information.

491 (d) Before a third request for additional information, the
492 applicant must be offered a meeting to attempt to resolve
493 outstanding issues. If a municipality makes a third request for
494 additional information and the applicant submits the required
495 additional information within 30 days after receiving the
496 request, the municipality must deem the application complete
497 within 10 days after receiving the additional information or
498 proceed to process the application for approval or denial unless
499 the applicant waived the municipality's limitation in writing as
500 described in paragraph (a).

501 (e) Except as provided in subsection (8)~~(7)~~, if the
502 applicant believes the request for additional information is not
503 authorized by ordinance, rule, statute, or other legal
504 authority, the municipality, at the applicant's request, shall
505 proceed to process the application for approval or denial.

506 (5)~~(4)~~ A municipality must issue a refund to an applicant
507 equal to:

508 (a) Ten percent of the application fee if the municipality
509 fails to issue written notification of completeness or written
510 specification of areas of deficiency within 30 days after
511 receiving the application.

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512 (b) Ten percent of the application fee if the municipality
513 fails to issue written notification of completeness or written
514 specification of areas of deficiency within 30 days after
515 receiving the additional information pursuant to paragraph
516 (4)~~(3)~~(b).

517 (c) Twenty percent of the application fee if the
518 municipality fails to issue written notification of completeness
519 or written specification of areas of deficiency within 10 days
520 after receiving the additional information pursuant to paragraph
521 (4)~~(3)~~(c).

522 (d) Fifty percent of the application fee if the
523 municipality fails to approve, approves with conditions, or
524 denies the application within 30 days after conclusion of the
525 timeframes 120-day or 180-day timeframe specified in paragraph
526 (1)(d), paragraph (3)(a), or paragraph (3)(b) subsection (2).

527 (e) One hundred percent of the application fee if the
528 municipality fails to approve, approves with conditions, or
529 denies an application 31 days or more after conclusion of the
530 timeframes 120-day or 180-day timeframe specified in paragraph
531 (1)(d), paragraph (3)(a), or paragraph (3)(b) subsection (2).

532

533 A municipality is not required to issue a refund if the
534 applicant and the municipality agree to an extension of time,
535 the delay is caused by the applicant, or the delay is

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536 attributable to a force majeure or other extraordinary
537 circumstance.

538 ~~(6)-(5)~~ When a municipality denies an application for a
539 development permit or development order, the municipality shall
540 give written notice to the applicant. The notice must include a
541 citation to the applicable portions of an ordinance, rule,
542 statute, or other legal authority for the denial of the permit
543 or order.

544 ~~(7)-(6)~~ As used in this section, the terms "development
545 permit" and "development order" have the same meaning as in s.
546 163.3164, but do not include building permits.

547 ~~(8)-(7)~~ For any development permit application filed with
548 the municipality after July 1, 2012, a municipality may not
549 require as a condition of processing or issuing a development
550 permit or development order that an applicant obtain a permit or
551 approval from any state or federal agency unless the agency has
552 issued a final agency action that denies the federal or state
553 permit before the municipal action on the local development
554 permit.

555 ~~(9)-(8)~~ Issuance of a development permit or development
556 order by a municipality does not create any right on the part of
557 an applicant to obtain a permit from a state or federal agency
558 and does not create any liability on the part of the
559 municipality for issuance of the permit if the applicant fails
560 to obtain requisite approvals or fulfill the obligations imposed

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561 by a state or federal agency or undertakes actions that result
562 in a violation of state or federal law. A municipality shall
563 attach such a disclaimer to the issuance of development permits
564 and shall include a permit condition that all other applicable
565 state or federal permits be obtained before commencement of the
566 development.

567 ~~(10)(9)~~ This section does not prohibit a municipality from
568 providing information to an applicant regarding what other state
569 or federal permits may apply.

570 **Section 4. Paragraphs (c) and (d) are added to subsection**
571 **(1) of section 177.071, Florida Statutes, to read:**

572 177.071 Administrative approval of plats or replats by
573 designated county or municipal official.

574 (1)

575 (c) A governing body and its designated administrative
576 authority shall use upon the written request of the applicant
577 the qualified contractor program established in s. 163.3169 to
578 supplement local government staff resources in ways determined
579 by the governing body for processing and expediting the
580 requirements of this section.

581 (d) A local government may not create, establish, or apply
582 any additional local procedure or condition for the
583 administrative approval of a plat or replat under this section
584 that is inconsistent with this section or s. 177.091. If
585 infrastructure financial assurances are required as a condition

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586 of plat or replat approval, the administrative authority
587 designated in paragraph (a) shall receive and act upon the
588 proposed assurance. The local government shall accept commonly
589 used forms of financial assurance, including performance bonds,
590 letters of credit, and escrow agreements, provided the assurance
591 is in a form reasonably acceptable to the local government and
592 issued by a financially responsible issuer meeting objective,
593 uniformly applied standards. Local government review of such
594 financial assurance shall be limited to verifying that the
595 amount, form, and issuer satisfy the requirements of s. 177.091
596 and the local government's uniformly applied standards, and may
597 not be used to unreasonably delay approval. If the assurance is
598 deficient, the local government shall provide written notice of
599 deficiencies within 10 business days.

600 **Section 5. Paragraph (a) of subsection (1), paragraphs (a)**
601 **and (b) of subsection (2), paragraph (a) of subsection (3),**
602 **subsection (4), paragraphs (b) and (c) of subsection (6), and**
603 **subsection (8) of section 177.073, Florida Statutes, are**
604 **amended, and paragraph (d) is added to subsection (2) of that**
605 **section, to read:**

606 177.073 Expedited approval of residential building permits
607 before a final plat is recorded.—

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

609 (a) "Applicant" means a homebuilder or developer who files
610 an application with the local governing body to identify the

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611 percentage of planned homes, or the number of building permits,
612 that the local governing body must issue for a residential
613 subdivision, or one or more phases in a multiphased planned
614 community, subdivision, or planned community.

615 (2) (a) By October 1, 2024, the governing body of a county
616 that has 75,000 residents or more and any governing body of a
617 municipality that has 10,000 residents or more and 25 acres or
618 more of contiguous land that the local government has designated
619 in the local government's comprehensive plan and future land use
620 map as land that is agricultural or to be developed for
621 residential purposes shall create a program to expedite the
622 process for issuing building permits for residential
623 subdivisions, one or more phases of a community or subdivision,
624 or planned communities in accordance with the Florida Building
625 Code and this section before a final plat is recorded with the
626 clerk of the circuit court. The expedited process must include
627 an application for an applicant to identify the percentage of
628 planned homes, not to exceed 50 percent of the residential
629 subdivision or a planned community, or the number of building
630 permits that the governing body must issue for the residential
631 subdivision or planned community. The application or the local
632 government's final approval may not alter or restrict the
633 applicant from receiving the number of building permits
634 requested, so long as the request does not exceed 50 percent of
635 the planned homes of the residential subdivision or planned

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636 community or the number of building permits. This paragraph does
637 not:

638 1. Restrict the governing body from issuing more than 50
639 percent of the building permits for the residential subdivision
640 or planned community.

641 2. Apply to a county subject to s. 380.0552.

642 (b) Subject to the requirements under subsection (6)(b), a
643 governing body that had a program in place before July 1, 2023,
644 to expedite the building permit process, need only update its
645 their program to approve an applicant's written application to
646 issue up to 50 percent of the building permits for the
647 residential subdivision, or planned community in order to comply
648 with this section. This paragraph does not restrict a governing
649 body from issuing more than 50 percent of the building permits
650 for the residential subdivision or planned community.

651 (d)1. If a governing body fails to adopt a program under
652 paragraph (a) or paragraph (c), or fails to update or modify an
653 existing program as required under paragraph (b) by the
654 applicable statutory deadline, the following will apply without
655 further action or approval by the governing body and
656 notwithstanding any conflicting local requirement:

657 a. The applicant shall have an unconditional, self-
658 executing right to use a qualified contractor of the applicant's
659 choosing, within the scope of the contractor's professional
660 licensure and as authorized under s. 177.073, to perform

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661 technical review and certification necessary to support the
662 issuance of up to 75 percent of the building permits for the
663 residential subdivision or planned community, including one or
664 more phases thereof, before the final plat is recorded, provided
665 the qualified contractor does not have a conflict of interest.
666 For the purposes of this paragraph, the term "conflict of
667 interest" has the same meaning as in s. 112.312.

668 b. The governing body, the local building official, and
669 any local government staff may not condition, delay, limit,
670 restrict, obstruct, or deny the applicant's use of a qualified
671 contractor under this paragraph. Nothing in this paragraph
672 prohibits a local government from applying neutral, generally
673 applicable requirements relating to procurement, contracting,
674 insurance, indemnification, conflict-of-interest review,
675 credential verification, recordkeeping, or public safety,
676 provided such requirements do not materially impair or frustrate
677 the applicant's ability to use a qualified contractor as
678 authorized by this paragraph. Any local requirement that
679 directly conflicts with this paragraph is preempted to the
680 extent of the conflict.

681 c. The qualified contractor may perform all technical
682 review services within the scope of his or her licensure and
683 qualifications which are necessary to obtain such building
684 permits as specifically authorized under this section, including
685 preparing, reviewing, and submitting permit applications and

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686 supporting plans, specifications, and documents, and providing
687 signed and sealed documents when required by law. The local
688 building official shall accept such submissions when prepared
689 and sealed by the qualified contractor as meeting any local
690 requirement that the submission be prepared or reviewed by local
691 government staff, and shall review and issue the permits in
692 accordance with the Florida Building Code and applicable state
693 law. Nothing in this paragraph limits the authority of the local
694 building official to review such submission by a qualified
695 contractor for compliance with the Florida Building Code and
696 applicable state law, to identify deficiencies, or to approve or
697 deny the permit in accordance with the law.

698 d. The governing body and the local building official may
699 not unreasonably require the applicant or the qualified
700 contractor to use a local government registry, rotation, or
701 shortlist, or any other selection or vetting process, which has
702 the effect of denying or materially delaying the applicant's use
703 of a qualified contractor under this section.

704 e. The unconditional right provided by this paragraph
705 becomes effective immediately upon the governing body's failure
706 to meet the applicable deadlines in paragraph (a) or paragraph
707 (c), continues in effect unless and until the governing body has
708 adopted or updated a program fully compliant with this section,
709 and may not be limited, impaired, or applied retroactively to
710 reduce the number or percentage of building permits the

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711 applicant may obtain or is eligible to obtain under this
712 paragraph.

713 2. This paragraph may not be construed to limit or impair
714 the authority of the local building official to enforce the
715 Florida Building Code, the Florida Fire Prevention Code, or
716 other applicable state laws and local laws of general
717 application in reviewing and issuing building permits; however,
718 the governing body and the local building official may not
719 impose any additional local procedures, prerequisites, or
720 substantive standards on the applicant or the qualified
721 contractor which have the effect of conditioning, delaying,
722 restricting, or denying the use of a qualified contractor as
723 authorized by this paragraph.

724 (3) A governing body shall create:

725 (a) A two-step application process for the adoption of a
726 preliminary plat, and for stabilized access roads that can
727 support emergency vehicles, inclusive of any plans, in order to
728 expedite the issuance of building permits under this section.
729 The application must allow an applicant to identify the
730 percentage of planned homes or the number of building permits
731 that the governing body must issue for the residential
732 subdivision or planned community, or one or more phases of a
733 multiphased planned community or subdivision.

734 (4) (a) An applicant may use a private provider or
735 qualified contractor in the same manner as provided in pursuant

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736 ~~to~~ s. 553.791 to expedite the application process for building
737 permits after a preliminary plat is approved under this section.

738 (b) A governing body upon the written request of the
739 applicant shall use the qualified contractor program established
740 in s. 163.3169 shall establish a registry of at least three
741 ~~qualified contractors whom the governing body may use to~~
742 supplement staff resources in ways determined by the governing
743 body for processing and expediting the review of an application
744 for a preliminary plat or any plans related to such application.
745 ~~A qualified contractor on the registry who is hired pursuant to~~
746 ~~this section to review an application, or any part thereof, for~~
747 ~~a preliminary plat, or any part thereof, may not have a conflict~~
748 ~~of interest with the applicant. For purposes of this paragraph,~~
749 ~~the term "conflict of interest" has the same meaning as in s.~~
750 ~~112.312.~~

751 (6) The governing body must issue the number or percentage
752 of building permits requested by an applicant in accordance with
753 the Florida Building Code and this section, provided the
754 residential buildings or structures are unoccupied and all of
755 the following conditions are met:

756 (b) The applicant provides proof to the governing body
757 that the applicant has provided a copy of the approved
758 preliminary plat, along with the approved plans, to the relevant
759 electric, gas, water, and wastewater utilities. For purposes of
760 this paragraph, the term "approved plans" means plans approved

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761 for design and permit review and does not include, and may not
762 be construed to require or imply, any certification,
763 attestation, or confirmation of the completion of construction
764 of any subdivision or planned community infrastructure, or
765 improvements depicted in, referenced by, or required under such
766 plans, except for the construction of the minimum access and
767 roadway improvements required by the Florida Fire Prevention
768 Code for fire department access and operations, such as a
769 stabilized roadway for emergency access. No other subdivision or
770 planned community infrastructure or improvements may be required
771 to be constructed as a condition of building permit issuance or
772 approval authorized under this section.

773 1. A local government may not condition, delay, withhold,
774 or deny the issuance of any building permit authorized under
775 this section on:

776 a. The actual completion, substantial completion, or
777 physical installation of any subdivision or planned community
778 infrastructure, or improvements identified in the approved
779 preliminary plat or approved plans;

780 b. The submission, acceptance, or approval of any
781 certification of completion or similar documentation, including,
782 but not limited to, certificates of completion, substantial
783 completion, engineer's or architect's certifications of
784 completion, as-built or record drawings, pressure or compaction
785 test results, utility acceptance letters, service availability

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786 letters, or similar confirmations of finished construction or
787 readiness for service; or

788 c. Compliance with an environmental condition that is not
789 required by its land development regulations, a local government
790 comprehensive plan, a regulatory covenant or similar recorded
791 instrument, a decision or order by a local zoning board or other
792 quasi-judicial board, or by state law or federal law to obtain a
793 building permit.

794 2. This prohibition applies notwithstanding any ordinance,
795 resolution, policy, practice, permit condition, concurrency or
796 proportionate-share requirement, interlocal agreement, utility
797 policy or standard, or other local requirement to the contrary.

798 3. This paragraph may not be construed to prohibit a local
799 government from requiring documentation strictly necessary to
800 demonstrate compliance with the Florida Fire Prevention Code as
801 a condition of issuing building permits; however, such
802 documentation may not require the physical completion of the
803 subdivision or planned community infrastructure, or improvements
804 beyond what is expressly required to satisfy the Florida Fire
805 Prevention Code.

806 4. Nothing in this paragraph shall be construed to relieve
807 an applicant from completing or installing any infrastructure or
808 improvements as a condition of issuance of a certificate of
809 occupancy.

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810 (c) The applicant holds a valid performance bond for up to
811 130 percent of the necessary improvements, as defined in s.
812 177.031(9), that have not been completed upon submission of the
813 application under this section. For purposes of a master planned
814 community as defined in s. 163.3202(5)(b), a valid performance
815 bond is required on a phase-by-phase basis. For purposes of this
816 section, a local government may waive the bonding requirement in
817 this paragraph through its program or on a case-by-case basis
818 upon request of the applicant. A local government may not
819 require a performance bond as a condition of scheduling or
820 conducting a preapplication meeting, presubmittal conference, or
821 other preliminary review.

822 (8) For purposes of this section, an applicant has a
823 vested right in a preliminary plat that has been approved by a
824 governing body for the earlier of at least 5 years or if all of
825 the following conditions are met:

826 (a) The applicant relies in good faith on the approved
827 preliminary plat or any amendments thereto.

828 (b) The applicant incurs obligations and expenses,
829 commences construction of the residential subdivision or planned
830 community, and is continuing in good faith with the development
831 of the property.

832 **Section 6.** This act shall take effect July 1, 2026.

833

834

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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to local land planning and
development; amending ss. 125.022 and 166.033, F.S.;
requiring certain counties and municipalities,
respectively, to create a preapplication consulting
services program by a specified date; providing
requirements for the program; providing procedures for
reviewing applications under the program; providing
that applications are deemed approved if certain
conditions are met; providing penalties for failure to
meet certain deadlines; creating s. 163.3169, F.S.;
defining terms; requiring certain local governments to
establish a registry of a specified number of
qualified contractors or qualified contractor firms to
conduct certain reviews; prohibiting qualified
contractors or qualified contractor firms from having
a conflict of interest; authorizing a local government
to enter into an agreement with another local
government under certain circumstances; prohibiting a
local government from adding its own employees to the
registry; requiring an applicant to have the right to
use a qualified contractor or qualified contractor
firm of his or her choosing to perform reviews under
certain circumstances; prohibiting a local government

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860 from conditioning, denying, delaying, or otherwise
861 contesting an applicant's selection or use of a
862 qualified contractor; specifying the applicant is
863 responsible for payment to the qualified contractor;
864 providing a local government must provide access to
865 public records and information to qualified
866 contractors and qualified contractor firms under
867 certain conditions; providing construction; amending
868 s. 177.071, F.S.; requiring local governments to use
869 the qualified contractor program for review plats or
870 replats upon request of the applicant; prohibiting
871 local governments from creating, establishing, or
872 applying specified additional regulations for the
873 approval of a final plat; requiring a local government
874 to designate a certain administrative authority to
875 take certain actions relating to the approval of
876 infrastructure assurances; requiring a local
877 government to accept certain forms of surety
878 instruments; providing requirements for local
879 government review of such surety instruments; amending
880 s. 177.073, F.S.; revising the definition of the term
881 "applicant"; requiring the governing body of certain
882 local governments and counties to include multiphased
883 developments in a program that expedites the process
884 for building permits for planned unit developments or

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885 | phases of a community or subdivision; specifying
886 | automatic actions in the event that the local
887 | government fails to adopt, update, or modify a certain
888 | program by a specified date; providing construction;
889 | requiring a governing body to create a two-step
890 | application process for stabilized access to roads
891 | that can support emergency vehicles; revising
892 | requirements for such application process; authorizing
893 | an applicant to use a qualified contractor for land
894 | use approvals under certain circumstances; requiring
895 | the qualified contractor to be selected using the
896 | local government's qualified contractor program;
897 | removing requirement that a local government establish
898 | a registry of qualified contractors for the expedited
899 | approval of residential building permits; defining the
900 | term "approved plans"; providing construction;
901 | prohibiting a local government from conditioning,
902 | delaying, withholding, or denying the issuance of
903 | certain permits under certain circumstances; providing
904 | applicability; providing construction; authorizing a
905 | local government to waive certain bonding requirements
906 | under certain circumstances; revising the
907 | circumstances under which an applicant has a vested
908 | right in a preliminary plat; providing an effective
909 | date.

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