

CS/HB 927

2026

A bill to be entitled  
An act relating to local land planning and development; creating s. 163.3169, F.S.; providing legislative findings; defining terms; requiring the governing body of a local government, by a specified date, to create a program that authorizes an applicant to use a qualified contractor to conduct preapplication review of an application; requiring the governing body to establish certain processes; providing specifications for such program; providing that the program must require a local government to approve an application upon the applicant's submittal of the application with an affidavit verifying certain information; requiring the local government to approve the application in a specified timeframe; prohibiting the development services office of a local government from conducting any additional review of certain documents that were subject to preapplication review; providing an exception; prohibiting a local government from enacting certain requirements that would regulate an applicant's ability to use and otherwise interact with a qualified contractor pursuant to the program; providing an exception; requiring the development services office of a local government to establish a registry of a specified number of qualified

26 contractors to be used to conduct preapplication  
27 reviews; prohibiting the development services office  
28 from adding a qualified contractor or a firm to the  
29 registry upon such entity's request under certain  
30 conditions; authorizing the development services  
31 office of a local government to register less than the  
32 specified number of qualified contractors under  
33 certain circumstances; authorizing a local government  
34 to enter into an agreement with a neighboring local  
35 government under certain circumstances; prohibiting a  
36 local government from adding its own employees to the  
37 registry; authorizing an applicant to use a qualified  
38 contractor of his or her choosing to perform the  
39 preapplication review under certain circumstances;  
40 requiring the governing body of the local government  
41 receiving such application to accept and process the  
42 application without undue conditioning, denial, or  
43 delay; providing an exception; specifying requirements  
44 for contracts between a local government and a  
45 qualified contractor pursuant to this act; requiring a  
46 local government to apply the same material terms for  
47 certain contract provisions to contracts with  
48 qualified contractors as it does in materially similar  
49 contracts; requiring local government contracts with  
50 qualified contractors to be as favorable and as

51 stringent as contracts with private contractors  
52 performing comparable services; prohibiting a local  
53 government from enforcing any additional criteria for  
54 qualified contractors beyond what is authorized by the  
55 act; nullifying any such criteria; specifying  
56 requirements for contracts entered into with qualified  
57 contractors; specifying minimum insurance requirements  
58 for qualified contractors; providing construction;  
59 providing severability; authorizing an applicant to  
60 select a qualified contractor or firm from the  
61 registry; prohibiting the applicant from directly  
62 paying the qualified contractor; requiring such  
63 payments be made to the local government; requiring  
64 the local government to pay the qualified contractor  
65 within a specified timeframe; requiring a local  
66 government to reduce an application fee under certain  
67 circumstances; specifying requirements for the  
68 calculation of such fee reduction; prohibiting a local  
69 government from imposing a surcharge, but authorizing  
70 the charge of an administrative fee for the use of a  
71 qualified contractor to conduct preapplication review;  
72 specifying requirements for such administrative fee;  
73 requiring any fee collected to be based on costs  
74 actually incurred pursuant to preapplication review;  
75 requiring the development services office of a local

76 government to provide a qualified contractor with  
77 equal access to resources; requiring the development  
78 services office to protect against the disclosure of  
79 confidential records; requiring a local government to  
80 process an application in a specified timeframe if an  
81 applicant does not use a qualified contractor for  
82 preapplication review; authorizing an applicant to use  
83 a qualified contractor at the sole expense of the  
84 local government under certain circumstances;  
85 providing for the automatic approval of applications  
86 under certain circumstances; requiring a qualified  
87 contractor to conduct a preapplication review for only  
88 the disciplines the qualified contractor is licensed  
89 or certified; prohibiting a qualified contractor from  
90 conducting preapplication review under certain  
91 circumstances; requiring a qualified contractor to  
92 determine whether the application is in compliance  
93 with certain regulations and to work with the  
94 applicant to resolve deficiencies; requiring a  
95 qualified contractor to submit an affidavit to the  
96 development services offices certifying certain  
97 information upon a determination that the application  
98 complies with certain provisions; specifying  
99 requirements for such affidavit; requiring the  
100 development services office to approve or deny an

101 application upon receipt; specifying requirements for  
102 the development services office if an application is  
103 denied; providing construction; prohibiting a  
104 development services office or local government from  
105 authorizing any law or provision that has the effect  
106 of modifying, impairing, or nullifying the act;  
107 prohibiting a local government from relying on any law  
108 or provision that regulates this act; authorizing a  
109 local government to establish a registration system to  
110 verify whether a qualified contractor or related  
111 entity is in compliance with certain requirements;  
112 providing preemption; providing that qualified  
113 contractors are subject to certain disciplinary  
114 guidelines; requiring that any complaint investigation  
115 or discipline that may arise out of a qualified  
116 contractor's preapplication review be conducted by a  
117 certain professional board; prohibiting a development  
118 services office or local government from auditing a  
119 qualified contractor's preapplication review until  
120 such entity creates standard auditing procedures;  
121 specifying requirements for such procedures; requiring  
122 that such audit procedures be publicly accessible;  
123 requiring that the results of such audit be made  
124 publicly available and updated on a specified basis;  
125 providing a limit on audit frequency; providing an

126 exception; providing immunity for specified entities;  
127 authorizing local governments, school districts, or  
128 independent special districts to use qualified  
129 contractors for preapplication review for certain  
130 projects; authorizing applicants to bring civil  
131 actions under certain circumstances; defining the term  
132 "prevailing party"; providing for the award of  
133 attorney fees, costs, and damages; providing  
134 exceptions; amending s. 177.071, F.S.; prohibiting  
135 local governments from creating or establishing  
136 additional regulations for the approval of a final  
137 plat; requiring a local government to designate a  
138 certain administrative authority to take certain  
139 actions relating to the approval of infrastructure  
140 assurances; requiring a local government to accept  
141 certain forms of surety instruments; amending s.  
142 177.073, F.S.; revising the definition of the term  
143 "applicant"; requiring the governing body of certain  
144 local governments and counties to create a program to  
145 expedite the process for building permits for planned  
146 unit developments or phases of a community or  
147 subdivision; specifying requirements for applicants,  
148 qualified contractors, and the governing body of a  
149 local government in the event that the local  
150 government fails to update or modify a certain program

151 by a specified date; providing construction; requiring  
152 a governing body to create a two-step application  
153 process under certain circumstances; revising  
154 requirements for such application process; authorizing  
155 an applicant to use a qualified contractor for land  
156 use approvals under certain circumstances; authorizing  
157 an applicant to retain a private provider or qualified  
158 contractor to process, review, and expedite an  
159 application for a preliminary plat or related plans  
160 under certain circumstances; defining "conflict of  
161 interest"; requiring an applicant to replace a  
162 qualified contractor or private provider if a conflict  
163 of interest is discovered; prohibiting a governing  
164 body from restricting an applicant's use of a private  
165 provider or qualified contractor under certain  
166 circumstances; requiring a governing body to treat  
167 documents submitted by a private provider or an  
168 applicant in the same manner as they treat other  
169 documents submitted by certain individuals;  
170 authorizing a governing body to take certain actions;  
171 prohibiting a governing body from imposing certain  
172 requirements; requiring an applicant to be responsible  
173 for certain fees and costs; voiding and preempting  
174 conflicting provisions; defining the term "approved  
175 plans"; providing construction; prohibiting a local

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176 government from conditioning, delaying, withholding,  
177 or denying the issuance of any permit under certain  
178 circumstances; authorizing a local government to waive  
179 certain bonding requirements under certain  
180 circumstances; revising the circumstances under which  
181 an applicant has a vested right in a preliminary plat;  
182 providing for preemption; prohibiting any unit of  
183 government from taking certain actions or otherwise  
184 regulating any processes, approvals, permits, plans,  
185 or activities related to land development in a more  
186 stringent manner than is required by the act;  
187 prohibiting a local government from imposing any  
188 measure that would have the effect of conflicting with  
189 the act; voiding and preempting conflicting  
190 provisions; prohibiting a local government from  
191 enacting any law or rule related to building permits  
192 which is more strict than those enacted by a state  
193 agency governing the same activity and resource;  
194 providing that such requirement does not apply to  
195 certain floodplain management ordinances; providing an  
196 effective date.

197  
198 Be It Enacted by the Legislature of the State of Florida:  
199  
200 **Section 1. Section 163.3169, Florida Statutes, is created**

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CODING: Words **stricken** are deletions; words **underlined** are additions.

hb927-01-c1

201 **to read:**

202 163.3169 Using qualified contractors in local planning and  
203 permitting decisions.—

204 (1) LEGISLATIVE FINDINGS.—

205 (a) The Legislature recognizes the need for continued  
206 growth throughout the state, and the need for an efficient  
207 permitting process to accommodate such growth, while balancing  
208 the role of local governments in community planning.

209 (b) The Legislature further recognizes that numerous local  
210 governments implement innovative planning and development  
211 strategies by using the private sector to supplement the needs  
212 of government and to keep pace with increasing populations,  
213 unmet demands for housing, and continuing budget constraints. To  
214 continue meeting future growth demands, all local governments  
215 shall use all available resources to ensure that private  
216 property owners seeking to build or develop the next generation  
217 of this state's housing supply are not burdened by limited local  
218 government workforces and can by right use a qualified  
219 contractor from the private sector to responsibly review  
220 applications as submitted and authorized under this section.

221 (2) DEFINITIONS.—As used in this section, the term:

222 (a) "Applicant" means a developer, homebuilder, or  
223 property owner who files an application with a development  
224 services office of the governing jurisdiction, which may be  
225 submitted and authorized by a qualified contractor, pursuant to

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226 this section.

227 (b) "Application" means a properly completed and submitted  
228 request for a permit, plans review, or plat approval, including  
229 final or preliminary plats, or other types of approvals as  
230 deemed necessary by the land development regulations from a  
231 development services office. The request includes an affidavit  
232 from a qualified contractor attesting that such permit  
233 application, request for plans review, or plat approval complies  
234 with the land development regulation and any applicable fee. The  
235 term does not include plans or permits as reviewed under s.

236 553.791.

237 (c) "Audit" means a limited, post-submittal verification  
238 process conducted solely to confirm that a qualified  
239 contractor's preapplication review supports the findings in the  
240 required affidavit, demonstrates that the review was performed  
241 in accordance with the normal and customary professional  
242 practices for the applicable discipline, and that the  
243 affidavit's findings are supported by competent and substantial  
244 evidence. An audit under this section may not replicate, redo,  
245 or substitute for the preapplication review performed by the  
246 qualified contractor, and may not go beyond the scope of  
247 verifying performance, customary practice, and evidentiary  
248 support, unless expressly authorized by this section.

249 (d) "Development services office" means the entity,  
250 office, division, or department of a local government

251 responsible for reviewing applications for compliance with the  
252 local government's land development regulations and other  
253 applicable federal, state, and local requirements. This office  
254 may be substantively identical to or housed within the local  
255 government's planning and zoning department.

256 (e) "Development services official" means the individual  
257 in the development services office of the governing jurisdiction  
258 responsible for the direct regulatory administration or  
259 supervision of the review and approval process required to  
260 indicate compliance with applicable land development  
261 regulations. The term includes any duly authorized designee of  
262 such person. This individual may be the executive director of  
263 the governing body of a local government or the division  
264 director of the local government's planning and zoning  
265 department.

266 (f) "Final plat" has the same meaning as in s. 177.073.

267 (g) "Governing body" has the same meaning as in s.  
268 163.3164.

269 (h) "Land development regulations" means ordinances  
270 enacted by governing bodies for the regulation of any aspect of  
271 development and includes any local government zoning, rezoning,  
272 subdivision, building construction, or sign regulations, or any  
273 other regulations controlling the development of land.

274 (i) "Local government" means a county, a municipality, or  
275 a district created pursuant to chapter 189 or chapter 190.

276       (j) "Permit" means an authorization, approval, or grant by  
277 a local governing body or development services office that  
278 permits the development of land, including any zoning permit,  
279 subdivision approval, rezoning, special exception, variance, or  
280 any other application, as necessary.

281       (k) "Plans" means site engineering plans or site plans, or  
282 their functional equivalent, submitted by an applicant to a  
283 qualified contractor or duly authorized representative for  
284 review.

285       (l) "Preapplication review" means the analysis conducted  
286 by a qualified contractor of the permits, plans, or plats,  
287 including final or preliminary plats, to ensure compliance with  
288 the applicable land development regulations, and which is part  
289 of the application as authorized under this section.

290       (m) "Preliminary plat" means a map or delineated  
291 representation of the subdivision of lands which is a complete  
292 and exact representation of the residential subdivision or  
293 planned community, and contains any additional information  
294 needed to comply with the requirements of chapter 177.

295       (n) "Qualified contractor" means the individual or firm  
296 contracted with a development services office or local  
297 government to conduct a preapplication review, and who is  
298 included in the registry as required by this section. The term  
299 includes, but is not limited to, any of the following:

300       1. An engineer or engineering firm licensed under chapter

301 471.

302 2. A surveyor or mapper, or a surveyor's or mapper's firm  
303 licensed under chapter 472.

304 3. An architect or architecture firm licensed under part I  
305 of chapter 481.

306 4. A landscape architect or a landscape architecture firm  
307 registered under part II of chapter 481.

308 5. A planner certified by the American Institute of  
309 Certified Planners.

310 6. A local government employee.

311 (o) "Single-trade review" means any review focused on a  
312 single component of an application, such as engineering,  
313 surveying, planning, or architectural.

314 (3) REQUIREMENTS.—

315 (a) By October 1, 2026, the governing body of a local  
316 government shall create a program by which a development  
317 services office authorizes an applicant to use a qualified  
318 contractor to conduct a preapplication review of any plans,  
319 permits, or plats submitted in an application. The governing  
320 body must establish the processes by which an applicant may  
321 submit an application for approval to the local government,  
322 following a preapplication review conducted by a qualified  
323 contractor. The program must specify at least all of the  
324 following:

325 1. The manner in which the development services office

326 enters into a contract with a qualified contractor.

327 2. Minimum requirements for selection as a qualified  
328 contractor for the program, including verification of current  
329 licensure or certification status and review of any adverse  
330 actions, discipline, or restrictions imposed by the applicable  
331 professional licensing board. A local government may not  
332 consider or require as criteria for selection or qualification  
333 the contractor's years of experience, geographic location, or  
334 any prior or existing work for or with the local government.

335 3. The minimum and maximum hourly rates that a qualified  
336 contractor may charge an applicant, comparable to market  
337 averages.

338 4. Other necessary and indispensable procedural  
339 requirements to implement this section, such as requirements  
340 relating to intake, payment, recordkeeping, and notice  
341 processes. Additional requirements may not conflict with or  
342 impair the intent of this section; may not add to, modify,  
343 limit, or condition the rights, duties, standards, scope,  
344 qualifications, or effects established by this section; and may  
345 not impose any substantive review criteria, terms, or conditions  
346 on applicants or qualified contractors.

347 (b) The program must require a local government to approve  
348 an application upon the submission of such application with an  
349 affidavit verifying that the application, as submitted to the  
350 qualified contractor for preapplication review, complies with

351 the applicable land development regulations. The program may not  
352 impose additional terms, conditions, or duplicative review  
353 processes. The application must be approved by the local  
354 government within the specified timeframes under ss. 125.022 and  
355 166.033. The development services office shall not conduct any  
356 additional review of the permits, plans, or plats, including  
357 final or preliminary plats, subject to the preapplication  
358 review, except as expressly authorized by this section. A local  
359 government may not enact any requirement to the program that  
360 would complicate or impair the applicant's ability to use a  
361 qualified contractor pursuant to the program, or otherwise  
362 regulate the selection, scope, timing, methods, or fees of a  
363 qualified contractor's preapplication review, except as  
364 expressly authorized by this section.

365 (4) REGISTRY.—

366 (a) The development services office of a local government  
367 shall establish a registry of at least six qualified  
368 contractors, or, for local governments serving populations of  
369 less than 10,000, a registry including no less than three  
370 qualified contractors, whom the local government shall use to  
371 conduct preapplication reviews pursuant to the program. If the  
372 minimum requirements for the qualified contractor specified in  
373 subparagraph (3)(a)2. are met, the development services office  
374 does not have discretion to add a qualified contractor or  
375 qualified contractor firm to the registry upon such entity's

376 request to be added to the registry.

377 (b) If, after making reasonable efforts, less than six  
378 qualified contractors are available, or if less than three  
379 qualified contractors are available for local governments  
380 serving populations of less than 10,000, the development  
381 services office shall register any willing available qualified  
382 contractors that meet the requirements of subparagraph (3) (a)2.

383 (c) The local government may enter into an agreement with  
384 a neighboring local government for the purpose of using public  
385 employees who meet the requirements for a qualified contractor  
386 to complete the preapplication review. A local government may  
387 not add its own employees to the registry.

388 (5) SELECTION OF A QUALIFIED CONTRACTOR OF APPLICANT'S  
389 CHOICE.—

390 (a) If any of the following conditions exist, an applicant  
391 who elects to participate in the program must have the  
392 unconditional right to use a qualified contractor of his or her  
393 choice, as long as the qualified contractor satisfies the  
394 minimum requirements in subparagraph (3) (a)2. for preapplication  
395 review:

396 1. The governing body of a local government fails to  
397 create the program established pursuant to subsection (3) before  
398 October 1, 2026.

399 2. The development services office of the local government  
400 fails to create the registry as required pursuant to subsection

401 (4).

402 3. The registry created pursuant to subsection (4) does  
403 not consist of the requisite number of qualified contractors.

404 (b) The local government must approve such application  
405 pursuant to this subsection and may not condition, deny, delay,  
406 or otherwise contest the applicant's selection or use of the  
407 qualified contractor, except upon a written determination  
408 supported by competent substantial evidence that the qualified  
409 contractor has a conflict of interest with the applicant, as  
410 defined in s. 112.312, or under any stricter conflict of  
411 interest standards applicable to the contractor's professional  
412 license.

413 (6) CONTRACT TERMS; UNIFORMITY; INSURANCE.—

414 (a) A contract entered into by a local government with a  
415 qualified contractor under this section must contain terms and  
416 conditions that are consistent with, and as strict as, the  
417 requirements of this section. A local government may not include  
418 any contractual term, condition, policy, procedure, or  
419 specification that has the effect of expanding, modifying, or  
420 restricting the rights, obligations, or processes established by  
421 this section.

422 (b) A local government shall apply the same material terms  
423 governing payment, performance standards, deliverables,  
424 timelines, notices, curing, and oversight to contracts with  
425 qualified contractors, as it applies to materially similar

426 contracts for services procured from private contractors for  
427 comparable scope and complexity. A local government may not  
428 impose different or more burdensome payment terms, performance  
429 obligations, audit or reporting requirements, or oversight  
430 mechanisms on qualified contractors than those applied to  
431 private contractors providing comparable services. If the local  
432 government uses substantially similar contracts for private  
433 contractors performing comparable services, the contracts  
434 governing qualified contractors must be no less favorable than  
435 the contracts applied to private contractors, and may not be  
436 more stringent than the terms that would apply to a similarly  
437 situated private contractor.

438 (c) A local government may not, by contract or otherwise,  
439 establish, apply, or enforce any additional criteria,  
440 qualifications, prerequisites, certifications, rating systems,  
441 experience thresholds, or approval conditions for qualified  
442 contractors beyond those expressly authorized by this section  
443 and applicable state professional licensure requirements. Any  
444 term or condition that purports to create additional criteria or  
445 qualifications beyond those authorized by this section is void.

446 (d) A local government shall adopt and use standard  
447 contract terms and conditions for agreements with qualified  
448 contractors which are substantially similar in form and  
449 substance to the local government's standard professional  
450 services agreements used for materially similar engagements with

451 private sector providers. The standard contract shall, at a  
452 minimum, address scope of services, compensation, invoicing,  
453 delivery schedules, termination, dispute resolution, audits  
454 limited to compliance with this section, records retention  
455 consistent with public records laws, and professional  
456 responsibility. A local government may not draft or apply  
457 standard terms in a manner that undermines or frustrates the  
458 purpose and operation of this section.

459 (e) Insurance requirements for qualified contractors must  
460 be commensurate with the estimated value, scope, and risk  
461 profile of the services to be performed under the contract and  
462 must align with commercially reasonable standards for similarly  
463 situated professional services within the jurisdiction. A local  
464 government may not impose insurance requirements that exceed  
465 what is reasonably necessary for the specific engagement, that  
466 exceed the minimum coverage required under applicable state  
467 professional licensing laws absent a documented, project-  
468 specific risk determination, or that operate as a barrier to  
469 registration or participation by an otherwise qualified  
470 contractor. Any insurance requirement must be stated with  
471 specificity, including types and limits of coverage, and shall  
472 allow the use of customary insurance instruments and  
473 endorsements available in the admitted or surplus lines markets.

474 (f) A local government may not, through any contractual  
475 provision, administrative interpretation, or implementation

476 practice, impose obligations on a qualified contractor which  
477 frustrate, impair, or defeat the legislative intent or  
478 requirements of this section, including by replicating  
479 preapplication reviews, imposing duplicative performance  
480 standards, or conditioning payment on approvals or reviews not  
481 authorized by this section. Any contractual provision that  
482 conflicts with this section or frustrates its purpose is void  
483 and unenforceable.

484 (g) This subsection shall be liberally construed to  
485 effectuate the uniform treatment of qualified contractors  
486 consistent with private sector contracting practices within the  
487 jurisdiction, and to prohibit the indirect circumvention of this  
488 section through contract terms. If any provision of this  
489 subsection or its application to any person or circumstance is  
490 held invalid, the invalidity does not affect other provisions or  
491 applications of this subsection which can be given effect  
492 without the invalid provision or application, and to this end  
493 the provisions of this subsection are severable.

494 (7) PAYMENT, FEES, AND PREAPPLICATION REVIEW.—

495 (a) The applicant shall have sole discretion to choose a  
496 qualified contractor or firm from the established registry under  
497 subsection (4) to conduct a preapplication review. The applicant  
498 may not pay the qualified contractor directly. Such payment must  
499 be made to the local government as part of the application. The  
500 local government shall ensure the qualified contractor or the

501     qualified contractor firm is paid within 30 days after  
502     completion of services rendered pursuant to the application.

503         (b)    If an applicant uses a qualified contractor for the  
504     purposes of conducting a preapplication review, the local  
505     government must reduce any application fee by the amount of cost  
506     savings realized by the development services office for not  
507     having to perform such services. Such reduction may be  
508     calculated on a flat fee or percentage basis, or any other  
509     reasonable means by which a development services office assesses  
510     the cost for its application review.

511         1.    A local government may not impose a surcharge for  
512     preapplication review if the applicant uses a qualified  
513     contractor to conduct a preapplication review; however, the  
514     local government may charge a reasonable administrative fee,  
515     which must be based on the cost that is actually incurred,  
516     including the labor cost of the personnel providing the service,  
517     by the local government or attributable to the local  
518     jurisdiction for the clerical and supervisory assistance  
519     required, or both.

520         2.    Any fee collected must be based on costs actually  
521     incurred pursuant to the preapplication review of an application  
522     submitted pursuant to this section.

523         (c)    If an applicant uses a qualified contractor to conduct  
524     a preapplication review, the development services office must  
525     provide the qualified contractor with equal access to the data,

526 resources, documents, reports, and other information reasonably  
527 necessary to perform that review. Such access must be provided  
528 only by means that prevent the disclosure of records that are  
529 confidential or exempt from public inspection or copying under  
530 chapter 119, or any other applicable provision of law protecting  
531 private or exempt records, including, but not limited to, secure  
532 software portals, access controls, or redaction protocols that  
533 safeguard exempt information.

534 (d) If an applicant does not use a qualified contractor  
535 pursuant to this section, the local government must process the  
536 application within the specified timeframes under ss. 125.022  
537 and 166.033. The local government shall use all available  
538 resources to ensure compliance with such timeframes. If the  
539 local government fails to process the application within such  
540 timeframes, the applicant may use a qualified contractor at the  
541 sole expense of the local government, as long as the qualified  
542 contractor does not have a conflict of interest with the  
543 applicant, to review the permits, plans, or plats, including  
544 final and preliminary, subject to the preapplication review. If  
545 the applicant uses a qualified contractor for preapplication  
546 review pursuant to this paragraph, such application must be  
547 approved automatically when the local government receives an  
548 affidavit from the qualified contractor, and subsection (10)  
549 does not apply.

550 (8) RESTRICTIONS ON PREAPPLICATION REVIEW.—A qualified

551 contractor must conduct preapplication review only for  
552 applications relating to the disciplines covered by such  
553 qualified contractor's or qualified contractor firm's licensure  
554 or certification granted pursuant to chapter 471, chapter 472,  
555 or chapter 481, or as certified by the American Institute of  
556 Certified Planners, including single-trade review. A qualified  
557 contractor may not conduct a preapplication review pursuant to  
558 this section if the qualified contractor or the qualified  
559 contractor firm is used by the applicant for the same project  
560 that is the subject of the application.

561 (9) AFFIDAVIT REQUIREMENTS.—

562 (a) A qualified contractor performing a preapplication  
563 review must determine whether the application is in compliance  
564 with all applicable land development regulations, comprehensive  
565 plan regulations, ordinances, and codes of the governing  
566 jurisdiction. The qualified contractor shall work directly with  
567 the applicant to resolve any deficiencies. Upon making the  
568 determination that the application complies with all relevant  
569 land development regulations, comprehensive plan regulations,  
570 ordinances, and codes, the qualified contractor shall prepare an  
571 affidavit certifying that the following information is true and  
572 correct to the best of the qualified contractor's knowledge and  
573 belief:

574 1. The preapplication review was conducted by the affiant,  
575 who is duly authorized to perform a preapplication review

576 pursuant to this section and holds the appropriate license or  
577 certificate.

578 2. The permits, plans, or plats, including final and  
579 preliminary, reviewed in the application, comply with all  
580 applicable land development regulations, comprehensive plan  
581 regulations, ordinances, and codes.

582 (b) Such affidavit must bear a written or electronic  
583 signature and must be submitted electronically to the  
584 development services office.

585 (10) AUTHORIZATION AND APPROVAL.—

586 (a) Upon receipt of an application accompanied by an  
587 affidavit of the qualified contractor pursuant to subsection  
588 (9), the development services office must review and approve or  
589 deny such application.

590 (b) Upon the denial of such application, the office must  
591 provide written notice to the applicant, specifically  
592 identifying any aspects of the application which do not comply  
593 with this section; applicable land development regulations;  
594 comprehensive plan regulations, ordinances, or codes; and the  
595 reasons the application was denied, as well as the specific code  
596 chapters and sections, within 10 business days after receipt of  
597 the application and affidavit. If the development services  
598 office does not provide written notice to the permit applicant  
599 within 10 business days, the application shall be deemed  
600 approved as a matter of law, and the development services office

601 must issue the authorization or approval of the application by  
602 the following business day.

603 (c) The development service office's approval or denial of  
604 an application may not be construed as an evaluation of the  
605 preapplication review conducted by the qualified contractor.

606 (11) CONSTRUCTION.—

607 (a) Notwithstanding any other law, charter provision,  
608 ordinance, regulation, policy, practice, or exercise of police  
609 or regulatory powers, a development services office or local  
610 government may not adopt, interpret, apply, condition, enforce,  
611 or otherwise give effect to any law, rule, ordinance, charter  
612 provision, resolution, procedure, policy, guidance, standard,  
613 qualification, fee, surcharge, contractual term, or  
614 administrative or quasi-judicial practice that, directly or  
615 indirectly, imposes any requirement, restriction, delay, review,  
616 approval, denial, condition, audit, inspection, or other barrier  
617 to an applicant's use of this section, or is more stringent  
618 than, augments, supplements, conflicts with, frustrates,  
619 circumvents, or has the effect of modifying, impairing, or  
620 nullifying the express terms, purposes, or operation of this  
621 section.

622 (b) A local government may not invoke, construe, or rely  
623 upon any other provision of general law, special law, home rule  
624 authority, comprehensive plan policy, land development  
625 regulation; building, zoning, or subdivision requirement; or any

626 public safety, health, welfare, or nuisance authority to expand,  
627 supplement, supersede, or diminish the rights, processes,  
628 timelines, approvals, or remedies established by this section,  
629 nor may any local government condition the acceptance,  
630 processing, or approval of an application authorized by this  
631 section in compliance with any additional or different  
632 requirements not expressly authorized herein.

633 (c) A development services office or local government may  
634 establish a registration system to verify whether a qualified  
635 contractor, a qualified contractor firm, or a duly authorized  
636 representative working alongside such entities is in compliance  
637 with licensure requirements and all applicable insurance  
638 requirements for holding the professional license.

639 (d) Any local provision or action inconsistent with this  
640 subsection is preempted, void, and unenforceable to the extent  
641 of the inconsistency, and this section shall control and be  
642 given full force and effect over any conflicting or more  
643 stringent provision of law, whether general, special, or local,  
644 including any charter or home rule provision, without regard to  
645 the order or time of enactment.

646 (12) DISCIPLINARY GUIDANCE.—When performing a  
647 preapplication review, a qualified contractor is subject to the  
648 disciplinary guidelines of the applicable professional board  
649 with jurisdiction over his or her license or certification under  
650 chapter 471, chapter 472, or chapter 481. Any complaint

651 investigation or discipline that may arise out of a qualified  
652 contractor's preapplication review shall be conducted by the  
653 applicable professional board.

654 (13) AUDIT PROCEDURES.-

655 (a) A development services office or local government may  
656 not audit the preapplication review of a qualified contractor  
657 operating within the local government's jurisdiction until the  
658 development services office or local government has created  
659 standard auditing procedures for its internal inspection and  
660 review staff. Such procedures must include, but are not limited  
661 to, all of the following:

662 1. The purpose and scope of the audit.

663 2. The audit criteria.

664 3. A framework for audit processes and procedures for a  
665 qualified contractor to file an objection to such audit's  
666 findings.

667 4. A framework for documenting detailed findings of areas  
668 of noncompliance.

669 (b) Such audit procedures must be publicly available  
670 online, and a printed version must be readily accessible in the  
671 development services office or local government buildings.

672 (c) The results of such audits must be made publicly  
673 available and must be updated at least every 6 months. The  
674 office's audit processes must adhere to the office's posted  
675 standard audit procedures. A qualified contractor or qualified

676 contractor firm may not be audited more than four times a year,  
677 unless the development services office determines a condition of  
678 an application constitutes an immediate threat to public safety  
679 and welfare, which must be communicated in writing to the  
680 qualified contractor or qualified contractor firm.

681 (14) IMMUNITY.—The development services office,  
682 development services officials, and the local government shall  
683 be immune from liability to any person or party for any action  
684 or inaction by an applicant, a qualified contractor, or a  
685 qualified contractor firm or its duly authorized representative,  
686 in connection with a preapplication review as authorized in this  
687 act. Any qualified contractor or qualified contractor firm  
688 retained by the local government under contract to review any  
689 application filed with the local government pursuant to this  
690 section shall be considered an agent of the local government in  
691 determining the state insurance coverage and sovereign immunity  
692 protection applicability of ss. 284.31 and 768.28.

693 (15) PREAPPLICATION REVIEW FOR SPECIFIED ENTITIES.—  
694 Notwithstanding any other law, a county, a municipality, a  
695 school district, or an independent special district may use a  
696 qualified contractor to provide preapplication or application  
697 reviews for a public works project by the county, municipality,  
698 school district, or independent special district.

699 (16) CIVIL ACTIONS AUTHORIZED.—

700 (a) An applicant may bring a civil action for declaratory

701     or injunctive relief against a county or municipality for a  
702     violation of this section. In any such action, the court shall  
703     award the applicant its reasonable attorney fees and costs,  
704     including reasonable appellate attorney fees and costs, if the  
705     court determines that the applicant is the prevailing party. For  
706     purposes of this paragraph, the term "prevailing party" means  
707     the party that obtains an enforceable judgment, order, or  
708     comparable court-sanctioned relief on the merits which  
709     materially alter the legal relationship of the parties in that  
710     party's favor, including the granting of declaratory or  
711     injunctive relief or the dismissal with prejudice of the  
712     opposing party's claims. The term does not include a party whose  
713     objectives are achieved solely by the voluntary cessation of  
714     challenged conduct absent a judicial determination or other  
715     relief bearing the court's imprimatur. If neither party prevails  
716     on the significant issues, or if both parties prevail in part,  
717     the court may determine that no party is the prevailing party  
718     and may equitably apportion fees and costs.

719         (b) Attorney fees and costs and damages may not be awarded  
720         pursuant to this subsection if:

721             1. The applicant provides the governing body of the county  
722             or municipality written notice that it is in violation of this  
723             section; and

724             2. The governing body of the county or municipality  
725             complies with this section within 14 days or issues the

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726 authorization or approval request within 14 days.

727 **Section 2. Paragraph (c) is added to subsection (1) of**  
728 **section 177.071, Florida Statutes, to read:**

729 177.071 Administrative approval of plats or replats by  
730 designated county or municipal official.—

731 (1)

732 (c) The local government may not create or establish any  
733 additional regulations or requirements that the applicant must  
734 meet for the approval of a final plat. Local governments  
735 requiring infrastructure assurances in connection with a final  
736 plat approval shall designate the same administrative authority  
737 as designated in paragraph (a) to receive and administratively  
738 approve or accept the surety instrument. The local government  
739 shall accept all commonly used forms of surety instruments or  
740 alternative forms of financial assurances, including, but not  
741 limited to, performance bonds, letters of credit, escrow  
742 agreements, or cash escrow with the county.

743 **Section 3. Paragraph (a) of subsection (1), paragraphs (a)**  
744 **and (b) of subsection (2), paragraph (a) of subsection (3),**  
745 **subsection (4), paragraphs (b) and (c) of subsection (6), and**  
746 **subsection (8) of section 177.073, Florida Statutes, are**  
747 **amended, paragraph (d) is added to subsection (2), and**  
748 **subsection (11) is added to that section, to read:**

749 177.073 Expedited approval of residential building permits  
750 before a final plat is recorded.—

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

752 (a) "Applicant" means a homebuilder or developer who files  
753 an application with the local governing body to identify the  
754 percentage of planned homes, or the number of building permits,  
755 that the local governing body must issue for a residential  
756 subdivision, planned unit development, or one or more phases in  
757 a multi-phased planned community, subdivision, or planned  
758 community.

759 (2) (a) By October 1, 2024, the governing body of a county  
760 that has 75,000 residents or more and any governing body of a  
761 municipality that has 10,000 residents or more and 25 acres or  
762 more of contiguous land that the local government has designated  
763 in the local government's comprehensive plan and future land use  
764 map as land that is agricultural or to be developed for  
765 residential purposes shall create a program to expedite the  
766 process for issuing building permits for residential  
767 subdivisions, planned unit developments, one or more phases of a  
768 community or subdivision, or planned communities in accordance  
769 with the Florida Building Code and this section before a final  
770 plat is recorded with the clerk of the circuit court. The  
771 expedited process must include an application for an applicant  
772 to identify the percentage of planned homes, ~~not to exceed 50~~  
773 ~~percent of the residential subdivision or a~~ planned community,  
774 or the number of building permits that the governing body must  
775 issue for the residential subdivision or planned community. The

776 application or the local government's final approval may not  
777 alter or restrict the applicant from receiving the number of  
778 building permits requested, so long as the request does not  
779 exceed 50 percent of the planned homes of the residential  
780 subdivision or planned community or the number of building  
781 permits. This paragraph does not:

782 1. Restrict the governing body from issuing more than 50  
783 percent of the building permits for the residential subdivision  
784 or planned community.

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

786 (b) Subject to the requirements under subsection (6) (b), a  
787 governing body that had a program in place before July 1, 2023,  
788 to expedite the building permit process, need only update its  
789 their program to approve an applicant's written application to  
790 issue up to 50 percent of the building permits for the  
791 residential subdivision, planned unit development, or planned  
792 community in order to comply with this section. This paragraph  
793 does not restrict a governing body from issuing more than 50  
794 percent of the building permits for the residential subdivision  
795 or planned community.

796 (d) If a governing body fails to adopt a program under  
797 paragraph (2) (a) or paragraph (2) (c), or fails to update or  
798 modify an existing program as required under paragraph (2) (b) by  
799 the applicable statutory deadline, the following will apply  
800 without further action or approval by the governing body and

801 notwithstanding any conflicting local requirement:

802 1. The applicant shall have an unconditional, self-  
803 executing right to use a qualified contractor of the applicant's  
804 choosing to obtain up to 75 percent of the building permits for  
805 the residential subdivision, planned unit development, or  
806 planned community, including one or more phases thereof, before  
807 the final plat is recorded, provided the qualified contractor  
808 does not have a conflict of interest with the applicant. For the  
809 purpose of this paragraph, "conflict of interest" has the same  
810 meaning as in s. 112.312.

811 2. The governing body, local building official, and any  
812 local government staff may not condition, delay, limit,  
813 restrict, obstruct, or deny the applicant's use of a qualified  
814 contractor under this paragraph, including by imposing any  
815 application, review, approval, staffing, procurement,  
816 qualification, preapproval, or selection requirements on the  
817 qualified contractor other than those expressly required by  
818 state law and the Florida Building Code. Any ordinance,  
819 resolution, policy, practice, contract, or requirement to the  
820 contrary is preempted and void to the extent of the conflict  
821 with this paragraph.

822 3. The qualified contractor may perform all services  
823 within the scope of his or her licensure and qualifications  
824 which are necessary or incidental to obtaining such building  
825 permits, including preparing, reviewing, and submitting permit

826 applications and supporting plans, specifications, and  
827 documents, and providing signed and sealed documents when  
828 required by law. The local building official shall accept such  
829 submissions when prepared and sealed by the qualified contractor  
830 as meeting any local requirement that the submission be prepared  
831 or reviewed by local government staff, and shall review and  
832 issue the permits in accordance with the Florida Building Code  
833 and applicable state law.

834 4. The governing body and the local building official may  
835 not require the applicant or the qualified contractor to use a  
836 local government registry, rotation, shortlist, or any other  
837 selection or vetting process, and may not require any written  
838 agreement, indemnification, fees, or other conditions specific  
839 to the use of a qualified contractor under this paragraph,  
840 except for standard building permit fees otherwise applicable to  
841 all building permit applications, and any fees expressly  
842 authorized by state law.

843 5. The unconditional right provided by this paragraph  
844 becomes effective immediately upon the governing body's failure  
845 to meet the applicable deadlines in paragraphs (a) or (c),  
846 continues in effect unless and until the governing body has  
847 adopted or updated a program fully compliant with this section,  
848 and may not be limited, impaired, or applied retroactively to  
849 reduce the number or percentage of building permits the  
850 applicant may obtain or is eligible to obtain under this

851 paragraph.

852       6. This paragraph does not limit or impair the authority  
853       of the local building official to enforce the Florida Building  
854       Code, the Florida Fire Prevention Code, or other applicable  
855       state laws of general application in reviewing and issuing  
856       building permits; however, the governing body and the local  
857       building official may not impose any additional local  
858       procedures, prerequisites, or substantive standards on the  
859       applicant or the qualified contractor which have the effect of  
860       conditioning, delaying, restricting, or denying the use of a  
861       qualified contractor as authorized by this paragraph.

862       (3) A governing body shall create:

863       (a) A two-step application process for the adoption of a  
864       preliminary plat, and for stabilized access roads that can  
865       support emergency vehicles, inclusive of any plans, in order to  
866       expedite the issuance of building permits under this section.  
867       The application must allow an applicant to identify the  
868       percentage of planned homes or the number of building permits  
869       that the governing body must issue for the residential  
870       subdivision, or planned community, planned unit development, or  
871       one or more phases of a multi-phased planned community or  
872       subdivision.

873       (4) (a) An applicant may use a private provider or  
874       qualified contractor for land use approvals in the same manner  
875       as provided in ~~pursuant to~~ s. 553.791 to expedite the

876 application process for any plans necessary to support the  
877 approval of a site plan, preliminary or final plat, or building  
878 permits after a preliminary plat is approved under this section.

879 (b) A governing body shall establish a registry of at  
880 least six ~~three~~ qualified contractors whom the governing body  
881 may use to supplement staff resources in ways determined by the  
882 governing body for processing and expediting the review of an  
883 application for a preliminary plat or any plans related to such  
884 application. A qualified contractor on the registry who is hired  
885 pursuant to this section to review an application, or any part  
886 thereof, for a preliminary plat, or any part thereof, may not  
887 have a conflict of interest with the applicant. For purposes of  
888 this paragraph, the term "conflict of interest" has the same  
889 meaning as in s. 112.312.

890 (c) If a governing body fails to establish or maintain the  
891 registry required under paragraph (b), an applicant may, at its  
892 sole discretion, retain a private provider or qualified  
893 contractor of the applicant's choosing to process, review, and  
894 expedite any application for a preliminary plat, or any plans  
895 related to such application, provided that the selected private  
896 provider or qualified contractor does not have a conflict of  
897 interest with the applicant. For purposes of this paragraph, the  
898 term "conflict of interest" has the same meaning as in s.  
899 112.312. If a conflict of interest is identified after  
900 selection, the applicant must promptly replace the private

901 provider or qualified contractor with one who has no conflict of  
902 interest, and the governing body must continue processing  
903 without delay or prejudice.

904 (d) The governing body may not condition, delay, or deny  
905 the applicant's use of such private provider or qualified  
906 contractor, and shall accept, process, and act upon reviews,  
907 approvals, recommendations, or certifications submitted by the  
908 private provider or qualified contractor in the same manner and  
909 within the same timeframes as if performed by the governing  
910 body's own staff, or by a contractor on the registry. The  
911 governing body may verify credentials, require standard  
912 submittal formats, and conduct ministerial compliance checks,  
913 but may not impose additional requirements that have the effect  
914 of frustrating, negating, or impeding the applicant's right to  
915 use a private provider or qualified contractor under this  
916 paragraph. The applicant shall be responsible for all fees and  
917 costs associated with the private provider or qualified  
918 contractor. Any ordinance, resolution, policy, practice,  
919 contract, or requirement to the contrary is preempted and void  
920 to the extent of conflict with this paragraph.

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

926       (b) The applicant provides proof to the governing body  
927 that the applicant has provided a copy of the approved  
928 preliminary plat, along with the approved plans, to the relevant  
929 electric, gas, water, and wastewater utilities. For purposes of  
930 this paragraph, "approved plans" means plans approved for design  
931 and permit review and does not include, and may not be construed  
932 to require or imply, any certification, attestation, or  
933 confirmation of the completion of construction of any  
934 subdivision or planned community infrastructure, or improvements  
935 depicted in, referenced by, or required under such plans, except  
936 for the construction of the minimum access and roadway  
937 improvements required by the Florida Fire Prevention Code for  
938 fire department access and operations, such as a stabilized  
939 roadway for emergency access. No other subdivision or planned  
940 community infrastructure or improvements may be required to be  
941 constructed as a condition of permit issuance or approval.

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

945       a. The actual completion, substantial completion, or  
946 physical installation of any subdivision or planned community  
947 infrastructure, or improvements identified in the approved  
948 preliminary plat or approved plans; or

949       b. The submission, acceptance, or approval of any  
950 certification of completion or similar documentation, including,

951 but not limited to, certificates of completion, substantial  
952 completion, engineer's or architect's certifications of  
953 completion, as-built or record drawings, pressure or compaction  
954 test results, utility acceptance letters, service availability  
955 letters, or similar confirmations of finished construction or  
956 readiness for service.

957 2. This prohibition applies notwithstanding any ordinance,  
958 resolution, policy, practice, development order, permit  
959 condition, concurrency or proportionate-share requirement,  
960 development agreement, interlocal agreement, utility policy or  
961 standard, or any other local requirement to the contrary.

962 3. This paragraph does not prohibit a local government  
963 from requiring documentation strictly necessary to demonstrate  
964 compliance with the Florida Fire Prevention Code as a condition  
965 of issuing building permits; however, such documentation may not  
966 require the physical completion of the subdivision or planned  
967 community infrastructure, or improvements beyond what is  
968 expressly required to satisfy the Florida Fire Prevention Code.

969 (c) The applicant holds a valid performance bond for up to  
970 130 percent of the necessary improvements, as defined in s.  
971 177.031(9), that have not been completed upon submission of the  
972 application under this section. For purposes of a master planned  
973 community as defined in s. 163.3202(5)(b), a valid performance  
974 bond is required on a phase-by-phase basis. For purposes of this  
975 section, a local government may waive the bonding requirement in

976 this paragraph through its program or on a case-by-case basis  
977 upon request of the applicant.

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

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

984 (b) The applicant incurs obligations and expenses,  
985 commences construction of the residential subdivision or planned  
986 community, and is continuing in good faith with the development  
987 of the property.

988 (11) (a) Notwithstanding any other law, this section is an  
989 express and exclusive preemption of the regulation of the  
990 activities governed by this section to the state. A county,  
991 municipality, special district, or other political subdivision  
992 may not create, adopt, enact, amend, interpret, implement,  
993 condition, deny, delay, or otherwise regulate any aspect of the  
994 processes, approvals, permits, plans, or activities authorized  
995 by or arising under this section in any manner that is  
996 inconsistent with, more stringent than, or in addition to the  
997 requirements established by this section or an applicant's  
998 rights and approvals under this section. A local government may  
999 not impose, as a condition of any approval or permit authorized  
1000 by this section, any requirement, standard, study, report,

1001 review, timing or sequencing condition, development order  
1002 condition, performance measure, level-of-service or concurrency  
1003 determination, exaction, conformity or consistency  
1004 determination, or other obligation derived from or contained in  
1005 the local government's charter, ordinances, codes, policies,  
1006 procedures, resolutions, administrative practices, comprehensive  
1007 plan, future land use map, land development regulations, or any  
1008 related manual, guideline, or technical standard, if such  
1009 requirement would alter, restrict, delay, add to, or otherwise  
1010 conflict with the provisions of this section or the approvals  
1011 contemplated herein. Any ordinance, resolution, policy,  
1012 practice, procedure, plan provision, development order  
1013 condition, or other local requirement that purports to regulate  
1014 matters preempted by this subsection, or that is inconsistent  
1015 with or more stringent than this section, is expressly  
1016 preempted, superseded, and void to the extent of the conflict.  
1017 (b) Notwithstanding any other law, in reviewing,  
1018 processing, or acting on any application for a building permit  
1019 under this section, a local government, including its  
1020 development services office and local building official, may not  
1021 use, enforce, or apply any local ordinance, regulation, policy,  
1022 condition, practice, or criterion relating to environmental  
1023 protection or natural resources that is substantially similar  
1024 to, duplicative of, or more stringent than a state regulatory  
1025 program adopted, implemented, or enforced by a state agency

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1026 governing the same activity or resource, and shall instead rely  
1027 upon the applicable state program's standards, approvals,  
1028 permits, and conditions as determinative of compliance for such  
1029 environmental or natural resource matters. This paragraph does  
1030 not apply to local floodplain management ordinances adopted to  
1031 comply with or participate in the National Flood Insurance  
1032 Program, nor does it prohibit a local government from doing any  
1033 of the following:

1034 1. Enforcing the Florida Building Code, Florida Fire  
1035 Prevention Code, or other state preempted life-safety standards.

1036 2. Implementing a state environmental or natural resource  
1037 program pursuant to an express delegation, interlocal agreement,  
1038 or contract that requires local implementation of state  
1039 standards without imposing requirements more stringent than the  
1040 delegated state program.

1041 3. Applying neutral, generally applicable administrative  
1042 procedures, timelines, and submittal requirements necessary to  
1043 process building permits which do not establish substantive  
1044 environmental or natural resource standards in addition to or  
1045 more stringent than those of the state program. Any conflicting  
1046 local provision is preempted and of no force or effect to the  
1047 extent of the conflict.

1048 **Section 4.** This act shall take effect July 1, 2026.