

1                   A bill to be entitled  
2           An act relating to local land planning and  
3           development; amending ss. 125.022 and 166.033, F.S.;  
4           requiring certain counties and municipalities,  
5           respectively, to create a preapplication consulting  
6           services program by a specified date; providing  
7           requirements for the program; providing procedures for  
8           reviewing applications under the program; providing  
9           that applications are deemed approved if certain  
10          conditions are met; providing penalties for failure to  
11          meet certain deadlines; creating s. 163.3169, F.S.;  
12          defining terms; requiring certain local governments to  
13          establish a registry of a specified number of  
14          qualified contractors or qualified contractor firms to  
15          conduct certain reviews; prohibiting qualified  
16          contractors or qualified contractor firms from having  
17          a conflict of interest; authorizing a local government  
18          to enter into an agreement with another local  
19          government under certain circumstances; prohibiting a  
20          local government from adding its own employees to the  
21          registry; requiring an applicant to have the right to  
22          use a qualified contractor or qualified contractor  
23          firm of his or her choosing to perform reviews under  
24          certain circumstances; prohibiting a local government  
25          from conditioning, denying, delaying, or otherwise

26 |       contesting an applicant's selection or use of a  
27 |       qualified contractor; specifying the applicant is  
28 |       responsible for payment to the qualified contractor;  
29 |       providing a local government must provide access to  
30 |       public records and information to qualified  
31 |       contractors and qualified contractor firms under  
32 |       certain conditions; providing construction; amending  
33 |       s. 177.071, F.S.; requiring local governments to use  
34 |       the qualified contractor program for review plats or  
35 |       replats upon request of the applicant; prohibiting  
36 |       local governments from creating, establishing, or  
37 |       applying specified additional regulations for the  
38 |       approval of a final plat; requiring a local government  
39 |       to designate a certain administrative authority to  
40 |       take certain actions relating to the approval of  
41 |       infrastructure assurances; requiring a local  
42 |       government to accept certain forms of surety  
43 |       instruments; providing requirements for local  
44 |       government review of such surety instruments; amending  
45 |       s. 177.073, F.S.; revising the definition of the term  
46 |       "applicant"; requiring the governing body of certain  
47 |       local governments and counties to include multiphased  
48 |       developments in a program that expedites the process  
49 |       for building permits for planned unit developments or  
50 |       phases of a community or subdivision; specifying

51 automatic actions in the event that the local  
52 government fails to adopt, update, or modify a certain  
53 program by a specified date; providing construction;  
54 requiring a governing body to create a two-step  
55 application process for stabilized access to roads  
56 that can support emergency vehicles; revising  
57 requirements for such application process; authorizing  
58 an applicant to use a qualified contractor for land  
59 use approvals under certain circumstances; requiring  
60 the qualified contractor to be selected using the  
61 local government's qualified contractor program;  
62 removing a requirement that a local government  
63 establish a registry of qualified contractors for the  
64 expedited approval of residential building permits;  
65 defining the term "approved plans"; providing  
66 construction; prohibiting a local government from  
67 conditioning, delaying, withholding, or denying the  
68 issuance of certain permits under certain  
69 circumstances; providing applicability; providing  
70 construction; authorizing a local government to waive  
71 certain bonding requirements under certain  
72 circumstances; revising the circumstances under which  
73 an applicant has a vested right in a preliminary plat;  
74 providing an effective date.

75

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

77  
78 **Section 1. Subsection (1) of section 125.022, Florida**  
79 **Statutes, is renumbered as subsection (2), present subsections**  
80 **(1), (2), and (4) are amended, and a new subsection (1) is added**  
81 **to that section, to read:**

82 125.022 Development permits and orders; development  
83 preapplication consulting services program required.-

84 (1) (a) 1. By January 1, 2027, each county with a population  
85 of 75,000 or greater shall create and implement a program for  
86 the purpose of making available development preapplication  
87 consultation services at an applicant's request.

88 2. Nothing in this subsection shall be construed to affect  
89 or require the modification of a county program which makes  
90 available the same or substantially similar development  
91 preapplication consulting services to an applicant for a  
92 development permit or development order, including a program  
93 which requires mandatory preapplication meetings for specified  
94 types of developments, if such county program existed on or  
95 before July 1, 2026.

96 3. The preapplication services authorized in this  
97 paragraph are limited to those applications for permits as  
98 defined in s. 163.3169(1).

99 4. The county may use a qualified contractor or a  
100 qualified contractor firm, as those terms are defined in s.

101 163.3169(1), to fulfill the preapplication consultation services  
102 required in this paragraph.

103 (b) A development preapplication consultation services  
104 program implemented under paragraph (a) must, at a minimum,  
105 provide:

106 1. The minimum information that must be submitted in an  
107 application for a permit as defined in s. 163.3169(1).

108 2. Review and precertification of completeness of the  
109 application and all related documents, including site  
110 engineering plans or site plans, or their functional equivalent,  
111 or plats, and their compliance with all relevant existing land  
112 development regulations.

113 (c) If an applicant chooses to use the development  
114 preapplication consultation services implemented under this  
115 subsection, the county, upon receipt of the proposed development  
116 application, shall confirm receipt, verify completeness, and  
117 issue a written notification to the applicant indicating that  
118 all required information is submitted or specify in writing with  
119 particularity any areas that are deficient within 5 business  
120 days. If the application is deficient, the applicant has 30 days  
121 to address the deficiencies by submitting the required  
122 additional information. If the county fails to issue the written  
123 notification within 5 business days, the application shall be  
124 deemed complete by operation of law without conditions, and the

125 county shall process the application as required in paragraph  
126 (d).

127 (d) Upon receipt of the applicant's completed application  
128 the county shall process the application for final action and  
129 must approve, approve with conditions, or deny the application  
130 within 45 days of submission of a complete application, except  
131 the county shall not review again those plans under subparagraph  
132 (b)2. If the county fails to take final action to approve,  
133 approve with conditions, or deny the application within the 45-  
134 day period prescribed by this paragraph, the applicant shall  
135 notify the county in writing and, if the local government fails  
136 to respond within 10 days, the application shall be deemed  
137 approved by operation of law without conditions and the  
138 applicant shall be entitled to proceed with the proposed  
139 activity or development as though the county had granted  
140 unconditional approval. However, such deemed approval shall not  
141 relieve the applicant of the obligation to comply with all other  
142 applicable federal, state, and local laws, regulations, and  
143 ordinances.

144 (2) (a) ~~(1)~~ If an applicant for a development permit or  
145 development order is not eligible, does not request, or elects  
146 not to use the county's development preapplication consulting  
147 services program in subsection (1), the A county shall specify  
148 in writing the minimum information that must be submitted in an  
149 application for a zoning approval, rezoning approval,

150 subdivision approval, certification, special exception, or  
151 variance. A county shall make the minimum information available  
152 for inspection and copying at the location where the county  
153 receives applications for development permits and orders,  
154 provide the information to the applicant at a preapplication  
155 meeting, or post the information on the county's website.

156 (b)~~(2)~~ Within 5 business days after receiving an  
157 application for approval of a development permit or development  
158 order, a county shall confirm receipt of the application using  
159 contact information provided by the applicant. Within 30 days  
160 after receiving an application for approval of a development  
161 permit or development order, a county must review the  
162 application for completeness and issue a written notification to  
163 the applicant indicating that all required information is  
164 submitted or specify in writing with particularity any areas  
165 that are deficient. If the application is deficient, the  
166 applicant has 30 days to address the deficiencies by submitting  
167 the required additional information.

168 1. For applications that do not require final action  
169 through a quasi-judicial hearing or a public hearing, the county  
170 must approve, approve with conditions, or deny the application  
171 for a development permit or development order within 120 days  
172 after the county has deemed the application complete.

173 2. For applications that require final action through a  
174 quasi-judicial hearing or a public hearing, the county must

175 approve, approve with conditions, or deny the application for a  
176 development permit or development order within 180 days after  
177 the county has deemed the application complete.

178 3. Both parties may agree in writing or in a public  
179 meeting or hearing to an extension of time, particularly in the  
180 event of a force majeure or other extraordinary circumstance. An  
181 approval, approval with conditions, or denial of the application  
182 for a development permit or development order must include  
183 written findings supporting the county's decision.

184 4. The timeframes contained in this subsection do not  
185 apply in an area of critical state concern, as designated in s.  
186 380.0552. The timeframes contained in this subsection restart if  
187 an applicant makes a substantive change to the application. As  
188 used in this subsection, the term "substantive change" means an  
189 applicant-initiated change of 15 percent or more in the proposed  
190 density, intensity, or square footage of a parcel.

191 (4) A county must issue a refund to an applicant equal to:

192 (a) Ten percent of the application fee if the county fails  
193 to issue written notification of completeness or written  
194 specification of areas of deficiency within 30 days after  
195 receiving the application.

196 (b) Ten percent of the application fee if the county fails  
197 to issue a written notification of completeness or written  
198 specification of areas of deficiency within 30 days after  
199 receiving the additional information pursuant to paragraph

200 (3) (b) .

201 (c) Twenty percent of the application fee if the county  
 202 fails to issue a written notification of completeness or written  
 203 specification of areas of deficiency within 10 days after  
 204 receiving the additional information pursuant to paragraph  
 205 (3) (c) .

206 (d) Fifty percent of the application fee if the county  
 207 fails to approve, approves with conditions, or denies the  
 208 application within 30 days after conclusion of the timeframes  
 209 ~~120-day or 180-day timeframe~~ specified in paragraph (1) (d) or  
 210 paragraph (2) (b) subsection (2) .

211 (e) One hundred percent of the application fee if the  
 212 county fails to approve, approves with conditions, or denies an  
 213 application 31 days or more after conclusion of the timeframes  
 214 ~~120-day or 180-day timeframe~~ specified in paragraph (1) (d) or  
 215 paragraph (2) (b) subsection (2) .

216

217 A county is not required to issue a refund if the applicant and  
 218 the county agree to an extension of time, the delay is caused by  
 219 the applicant, or the delay is attributable to a force majeure  
 220 or other extraordinary circumstance.

221 **Section 2. Section 163.3169, Florida Statutes, is created**  
 222 **to read:**

223 163.3169 Use of qualified contractors.-

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

225 (a) "Applicant" means a person or legal entity having a  
226 legal or equitable ownership interest in real property, or an  
227 authorized agent acting on behalf of such person or entity, that  
228 applies for a permit from the local government pursuant to this  
229 section.

230 (b) "Conflict of interest" has the same meaning as in s.  
231 112.312. The term includes conflicts of interest recognized  
232 under applicable licensing or certification standards applicable  
233 to the qualified contractor.

234 (c) "Governing body" has the same meaning as in s.  
235 163.3164.

236 (d) "Local government" means:

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

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

240 (e) "Permit" means an authorization, approval, or grant by  
241 a local governing body that authorizes the development of land  
242 for any site plan or development plan approval, or any  
243 subdivision approval. The term does not include the review and  
244 approval of any other development permit.

245 (f) "Plans" has the same meaning as in s. 177.073(1).

246 (g) "Plat or replat" has the same meaning as in s.  
247 177.031(14).

248 (h) "Preliminary plat" has the same meaning as in s.  
249 177.073(1).

250        (i) "Qualified contractor" means a person that has  
251 demonstrated knowledge of and experience with the types of  
252 permits or development approvals specified in this section. The  
253 term includes:

254        1. An engineer licensed under chapter 471.

255        2. A surveyor or mapper licensed under chapter 472.

256        3. An architect licensed under part I of chapter 481.

257        4. A landscape architect registered under part II of  
258 chapter 481.

259        5. A person who is certified by the American Institute of  
260 Certified Planners with at least 5 years of relevant government  
261 experience, or who has at least 10 years of relevant experience  
262 as an urban planner if not certified.

263        (j) "Qualified contractor firm" means a business  
264 organization, including, but not limited to, a corporation,  
265 partnership, business trust, or other legal entity, which offers  
266 services to the public under this section through licensees  
267 acting as agents, employees, officers, or partners of the firm.

268        The term includes:

269        1. An engineering firm licensed under chapter 471.

270        2. A surveyor's or mapper's firm licensed under chapter  
271 472.

272        3. An architecture firm licensed under part I of chapter  
273 481.

274 4. A landscape architecture firm registered under part II  
275 of chapter 481.

276 5. A firm that is certified by the American Institute of  
277 Certified Planners with at least 5 years of relevant government  
278 experience, or that has at least 10 years of relevant experience  
279 in urban planning if not certified.

280 (k) "Site plan" or "development plan approval" means a  
281 site development proposal, or its functional equivalent,  
282 including a modification to an existing development approval,  
283 that is expressly designated by the local government for  
284 administrative review and approval by local government staff or  
285 a designated administrative official, without the requirement of  
286 approval by an appointed review board or a governing body and  
287 that does not materially increase density, intensity, traffic,  
288 infrastructure demand, environmental impacts, or significant  
289 off-site impacts, and therefore does not require full site plan  
290 review or discretionary policy review. The term includes  
291 approvals or permits governed by objective, nondiscretionary  
292 standards that are designated by the local government for  
293 administrative approval by local government staff or an  
294 administrative official and which also includes, but is not  
295 limited to, approvals or permits related to trees, signs,  
296 landscaping, and minor modifications.

297 (l) "Subdivision approval," or its functional equivalent,  
298 including a modification, means an administrative review process

299 applicable to the division of land into a limited number of  
300 lots, which does not create new public streets, require  
301 significant public infrastructure improvements, or materially  
302 increase development impacts. The term includes only:

303 1. Approvals expressly designated by the local government  
304 for administrative review and approval by local government  
305 staff, or a designated administrator, which does not require  
306 approval by an appointed review board or a governing body.

307 2. A subdivision:

308 a. With a certain number of lots, as specified by the  
309 local government;

310 b. That complies with all applicable zoning, dimensional,  
311 access utility, and environmental standards; and

312 c. That can be served by existing public facilities or  
313 approved private systems,

314

315 which allows the subdivision to be reviewed for compliance with  
316 objective standards of land development code and approved by  
317 local government staff, or a designated administrative official,  
318 without requiring discretionary policy determinations.

319 (2) By January 1, 2027, a local government shall establish  
320 a registry of at least four qualified contractors or two  
321 qualified contractor firms, whom the governing body shall use to  
322 supplement local government staff resources in ways determined

323 by the governing body upon the written request by an applicant  
324 for fulfilling:

325 (a) Providing preapplication consulting services for  
326 permits pursuant to ss. 125.022(1) and 166.033(1).

327 (b) Processing and expediting the review of an application  
328 for a preliminary plat, or any plans related to such  
329 application, pursuant to s. 177.073.

330 (c) Requiring the administrative approval of a plat or  
331 replat pursuant to s. 177.071.

332 (3) A qualified contractor or a qualified contractor firm  
333 on the registry who is hired pursuant to this section may not  
334 have a conflict of interest. If, upon satisfying the registry  
335 requirements in subsection (2), a conflict of interest exists,  
336 the applicant may utilize an otherwise qualified contractor.

337 (4) A local government may enter into an agreement with  
338 another local government for the purpose of using public  
339 employees who meet the requirements of a qualified contractor to  
340 satisfy, in part thereof, the requirements of subsection (2). A  
341 local government may not add its own employees to its own  
342 registry.

343 (5) (a) If a local government fails to establish or  
344 maintain the registry, an applicant may, at its sole discretion,  
345 retain a qualified contractor or a qualified contractor firm of  
346 the applicant's choosing to provide services authorized in  
347 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c),

348 provided that the selected qualified contractor or qualified  
349 contractor firm does not have a conflict of interest. If a  
350 conflict of interest is identified after selection, the  
351 applicant must promptly replace the qualified contractor or  
352 qualified contractor firm with one who has no conflict of  
353 interest.

354 (b) The local government may not condition, delay, or deny  
355 the applicant's use of a qualified contractor, or a qualified  
356 contractor firm and the applicant shall be responsible for all  
357 fees and costs associated with the qualified contractor or the  
358 qualified contractor firm used in this manner.

359 (c) If an applicant uses a qualified contractor or a  
360 qualified contractor firm in this manner, the local government  
361 must provide access to public records and information reasonably  
362 necessary to perform the services authorized in paragraphs  
363 (2) (a), (2) (b), and (2) (c). This paragraph does not authorize  
364 the disclosure of records that are confidential or exempt from  
365 public inspection or copying under chapter 119 or any other  
366 applicable law, and access to such records is provided only to  
367 the extent permitted by law. This paragraph may not be construed  
368 to require a local government to violate the licensing terms of  
369 proprietary software or related vendor agreements.

370 **Section 3. Subsection (1) of section 166.033, Florida**  
371 **Statutes, is renumbered as subsection (2), present subsections**  
372 **(1), (2), and (4) are amended, and a new subsection (1) is added**

373 **to that section, to read:**

374       166.033 Development permits and orders; development  
375 preapplication consulting services program required.-

376       (1) (a) 1. By January 1, 2027, each municipality with a  
377 population of 10,000 or greater shall create and implement a  
378 program for the purpose of making available development  
379 preapplication consultation services at an applicant's request.

380       2. Nothing in this subsection shall be construed to affect  
381 or require the modification of a municipal program which makes  
382 available the same or substantially similar development  
383 preapplication consulting services to an applicant for a  
384 development permit or development order, including a program  
385 which requires mandatory preapplication meetings for specified  
386 types of developments, if such municipal program existed on or  
387 before July 1, 2026.

388       3. The preapplication services authorized in this  
389 paragraph are limited to those applications for permits as  
390 defined in s. 163.3169(1).

391       4. The municipality may use a qualified contractor or a  
392 qualified contractor firm, as those terms are defined in s.  
393 163.3169(1), to fulfill the preapplication consultation services  
394 required in this paragraph.

395       (b) A development preapplication consultation services  
396 program implemented under paragraph (a) must, at minimum,  
397 provide:

398        1. The minimum information that must be submitted in an  
399 application for a permit as defined in s. 163.3169(1).

400        2. Review and precertification of completeness of the  
401 application and all related documents, including site  
402 engineering plans or site plans, or their functional equivalent,  
403 or plats, and their compliance with all relevant existing land  
404 development regulations.

405        (c) If an applicant chooses to use the development  
406 preapplication consultation services implemented under this  
407 subsection, the municipality, upon receipt of the proposed  
408 development application, shall confirm receipt, verify  
409 completeness, and issue a written notification to the applicant  
410 indicating that all required information is submitted or specify  
411 in writing with particularity any areas that are deficient  
412 within 5 business days. If the application is deficient, the  
413 applicant has 30 days to address the deficiencies by submitting  
414 the required additional information. If the municipality fails  
415 to issue the written notification within 5 business days, the  
416 application shall be deemed complete by operation of law without  
417 conditions, and the municipality shall process the application  
418 as required in paragraph (d).

419        (d) Upon receipt of the applicant's completed application,  
420 the municipality shall process the application for final action  
421 and must approve, approve with conditions, or deny the  
422 application within 45 days of submission of a complete

423 application, except the municipality shall not review again  
424 those plans under subparagraph (b)2. If the municipality fails  
425 to take final action to approve, approve with conditions, or  
426 deny the application within the 45-day period prescribed by this  
427 paragraph, the applicant shall notify the local government in  
428 writing and, if the municipality fails to respond within 10  
429 days, the application shall be deemed approved by operation of  
430 law without conditions, and the applicant shall be entitled to  
431 proceed with the proposed activity or development as though the  
432 municipality had granted unconditional approval. However, such  
433 deemed approval shall not relieve the applicant of the  
434 obligation to comply with all other applicable federal, state,  
435 and local laws, regulations, and ordinances.

436 (2) (a) ~~(1)~~ If an applicant for a development permit or  
437 development order is not eligible, does not request, or elects  
438 not to use a municipality's development preapplication  
439 consulting services program created in subsection (1), the A  
440 municipality shall specify in writing the minimum information  
441 that must be submitted for an application for a zoning approval,  
442 rezoning approval, subdivision approval, certification, special  
443 exception, or variance. A municipality shall make the minimum  
444 information available for inspection and copying at the location  
445 where the municipality receives applications for development  
446 permits and orders, provide the information to the applicant at  
447 a preapplication meeting, or post the information on the

448 municipality's website.

449        (b) ~~(2)~~ Within 5 business days after receiving an  
450 application for approval of a development permit or development  
451 order, a municipality shall confirm receipt of the application  
452 using contact information provided by the applicant. Within 30  
453 days after receiving an application for approval of a  
454 development permit or development order, a municipality must  
455 review the application for completeness and issue a written  
456 notification to the applicant indicating that all required  
457 information is submitted or specify in writing with  
458 particularity any areas that are deficient. If the application  
459 is deficient, the applicant has 30 days to address the  
460 deficiencies by submitting the required additional information.

461        1. For applications that do not require final action  
462 through a quasi-judicial hearing or a public hearing, the  
463 municipality must approve, approve with conditions, or deny the  
464 application for a development permit or development order within  
465 120 days after the municipality has deemed the application  
466 complete.

467        2. For applications that require final action through a  
468 quasi-judicial hearing or a public hearing, the municipality  
469 must approve, approve with conditions, or deny the application  
470 for a development permit or development order within 180 days  
471 after the municipality has deemed the application complete.

472        3. Both parties may agree in writing or in a public

473 meeting or hearing to an extension of time, particularly in the  
474 event of a force majeure or other extraordinary circumstance. An  
475 approval, approval with conditions, or denial of the application  
476 for a development permit or development order must include  
477 written findings supporting the municipality's decision.

478 4. The timeframes contained in this subsection do not  
479 apply in an area of critical state concern, as designated in s.  
480 380.0552 or chapter 28-36, Florida Administrative Code. The  
481 timeframes contained in this subsection restart if an applicant  
482 makes a substantive change to the application. As used in this  
483 subsection, the term "substantive change" means an applicant-  
484 initiated change of 15 percent or more in the proposed density,  
485 intensity, or square footage of a parcel.

486 (4) A municipality must issue a refund to an applicant  
487 equal to:

488 (a) Ten percent of the application fee if the municipality  
489 fails to issue written notification of completeness or written  
490 specification of areas of deficiency within 30 days after  
491 receiving the application.

492 (b) Ten percent of the application fee if the municipality  
493 fails to issue written notification of completeness or written  
494 specification of areas of deficiency within 30 days after  
495 receiving the additional information pursuant to paragraph

496 (3) (b).

497 (c) Twenty percent of the application fee if the

498 municipality fails to issue written notification of completeness  
499 or written specification of areas of deficiency within 10 days  
500 after receiving the additional information pursuant to paragraph  
501 (3) (c).

502 (d) Fifty percent of the application fee if the  
503 municipality fails to approve, approves with conditions, or  
504 denies the application within 30 days after conclusion of the  
505 timeframes 120-day or 180-day timeframe specified in paragraph  
506 (1) (d) or paragraph (2) (b) subsection (2).

507 (e) One hundred percent of the application fee if the  
508 municipality fails to approve, approves with conditions, or  
509 denies an application 31 days or more after conclusion of the  
510 timeframes 120-day or 180-day timeframe specified in paragraph  
511 (1) (d) or paragraph (2) (b) subsection (2).

512  
513 A municipality is not required to issue a refund if the  
514 applicant and the municipality agree to an extension of time,  
515 the delay is caused by the applicant, or the delay is  
516 attributable to a force majeure or other extraordinary  
517 circumstance.

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

520 177.071 Administrative approval of plats or replats by  
521 designated county or municipal official.—

522 (1)

523 (c) A governing body and its designated administrative  
524 authority shall use upon the written request of the applicant  
525 the qualified contractor program established in s. 163.3169 to  
526 supplement local government staff resources in ways determined  
527 by the governing body for processing and expediting the  
528 requirements of this section.

529 (d) A local government may not create, establish, or apply  
530 any additional local procedure or condition for the  
531 administrative approval of a plat or replat under this section  
532 that is inconsistent with this section or s. 177.091. If  
533 infrastructure financial assurances are required as a condition  
534 of plat or replat approval, the administrative authority  
535 designated in paragraph (a) shall receive and act upon the  
536 proposed assurance. The local government shall accept commonly  
537 used forms of financial assurance, including performance bonds,  
538 letters of credit, and escrow agreements, provided the assurance  
539 is in a form reasonably acceptable to the local government and  
540 issued by a financially responsible issuer meeting objective,  
541 uniformly applied standards. Local government review of such  
542 financial assurance shall be limited to verifying that the  
543 amount, form, and issuer satisfy the requirements of s. 177.091  
544 and the local government's uniformly applied standards, and may  
545 not be used to unreasonably delay approval. If the assurance is  
546 deficient, the local government shall provide written notice of  
547 deficiencies within 10 business days.

548           **Section 5. Paragraph (a) of subsection (1), paragraphs (a)**  
549 **and (b) of subsection (2), paragraph (a) of subsection (3),**  
550 **subsection (4), paragraphs (b) and (c) of subsection (6), and**  
551 **subsection (8) of section 177.073, Florida Statutes, are**  
552 **amended, and paragraph (d) is added to subsection (2) of that**  
553 **section, to read:**

554           177.073 Expedited approval of residential building permits  
555 before a final plat is recorded.—

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

557           (a) "Applicant" means a homebuilder or developer who files  
558 an application with the local governing body to identify the  
559 percentage of planned homes, or the number of building permits,  
560 that the local governing body must issue for a residential  
561 subdivision, or one or more phases in a multiphased planned  
562 community, subdivision, or planned community.

563           (2) (a) By October 1, 2024, the governing body of a county  
564 that has 75,000 residents or more and any governing body of a  
565 municipality that has 10,000 residents or more and 25 acres or  
566 more of contiguous land that the local government has designated  
567 in the local government's comprehensive plan and future land use  
568 map as land that is agricultural or to be developed for  
569 residential purposes shall create a program to expedite the  
570 process for issuing building permits for residential  
571 subdivisions, one or more phases of a community or subdivision,  
572 or planned communities in accordance with the Florida Building

573 Code and this section before a final plat is recorded with the  
574 clerk of the circuit court. The expedited process must include  
575 an application for an applicant to identify the percentage of  
576 planned homes, not to exceed 50 percent of the residential  
577 subdivision or planned community, or the number of building  
578 permits that the governing body must issue for the residential  
579 subdivision or planned community. The application or the local  
580 government's final approval may not alter or restrict the  
581 applicant from receiving the number of building permits  
582 requested, so long as the request does not exceed 50 percent of  
583 the planned homes of the residential subdivision or planned  
584 community or the number of building permits. This paragraph does  
585 not:

586 1. Restrict the governing body from issuing more than 50  
587 percent of the building permits for the residential subdivision  
588 or planned community.

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

590 (b) Subject to the requirements under subsection (6)(b), a  
591 governing body that had a program in place before July 1, 2023,  
592 to expedite the building permit process, need only update their  
593 program to approve an applicant's written application to issue  
594 up to 50 percent of the building permits for the residential  
595 subdivision or planned community in order to comply with this  
596 section. This paragraph does not restrict a governing body from  
597 issuing more than 50 percent of the building permits for the

598 residential subdivision or planned community.

599 (d)1. If a governing body fails to adopt a program under  
600 paragraph (a) or paragraph (c), or fails to update or modify an  
601 existing program as required under paragraph (b) by the  
602 applicable statutory deadline, the following will apply without  
603 further action or approval by the governing body,  
604 notwithstanding any conflicting local requirement:

605 a. The applicant shall have an unconditional, self-  
606 executing right to use a qualified contractor of the applicant's  
607 choosing, within the scope of the contractor's professional  
608 licensure and as authorized under s. 177.073, to perform  
609 technical review and certification necessary to support the  
610 issuance of up to 75 percent of the building permits for the  
611 residential subdivision or planned community, including one or  
612 more phases thereof, before the final plat is recorded, provided  
613 the qualified contractor does not have a conflict of interest.  
614 As used in this sub-subparagraph, the term "conflict of  
615 interest" has the same meaning as in s. 112.312.

616 b. The governing body, the local building official, and  
617 any local government staff may not condition, delay, limit,  
618 restrict, obstruct, or deny the applicant's use of a qualified  
619 contractor under this paragraph. Nothing in this paragraph  
620 prohibits a local government from applying neutral, generally  
621 applicable requirements relating to procurement, contracting,  
622 insurance, indemnification, conflict-of-interest review,

623 credential verification, recordkeeping, or public safety,  
624 provided such requirements do not materially impair or frustrate  
625 the applicant's ability to use a qualified contractor as  
626 authorized by this paragraph. Any local requirement that  
627 directly conflicts with this paragraph is preempted to the  
628 extent of the conflict.

629 c. The qualified contractor may perform all technical  
630 review services within the scope of his or her licensure and  
631 qualifications which are necessary to obtain such building  
632 permits as specifically authorized under this section, including  
633 preparing, reviewing, and submitting permit applications and  
634 supporting plans, specifications, and documents, and providing  
635 signed and sealed documents when required by law. The local  
636 building official shall accept such submissions when prepared  
637 and sealed by the qualified contractor as meeting any local  
638 requirement that the submission be prepared or reviewed by local  
639 government staff, and shall review and issue the permits in  
640 accordance with the Florida Building Code and applicable state  
641 law. Nothing in this paragraph limits the authority of the local  
642 building official to review such submission by a qualified  
643 contractor for compliance with the Florida Building Code and  
644 applicable state law, to identify deficiencies, or to approve or  
645 deny the permit in accordance with the law.

646 d. The governing body and the local building official may  
647 not unreasonably require the applicant or the qualified

648 contractor to use a local government registry, rotation, or  
649 shortlist, or any other selection or vetting process, which has  
650 the effect of denying or materially delaying the applicant's use  
651 of a qualified contractor under this section.

652 e. The unconditional right provided by this paragraph  
653 becomes effective immediately upon the governing body's failure  
654 to meet the applicable deadlines in paragraph (a) or paragraph  
655 (c), continues in effect unless and until the governing body has  
656 adopted or updated a program fully compliant with this section,  
657 and may not be limited, impaired, or applied retroactively to  
658 reduce the number or percentage of building permits the  
659 applicant may obtain or is eligible to obtain under this  
660 paragraph.

661 2. This paragraph may not be construed to limit or impair  
662 the authority of the local building official to enforce the  
663 Florida Building Code, the Florida Fire Prevention Code, or  
664 other applicable state laws and local laws of general  
665 application in reviewing and issuing building permits. However,  
666 the governing body and the local building official may not  
667 impose any additional local procedures, prerequisites, or  
668 substantive standards on the applicant or the qualified  
669 contractor which have the effect of conditioning, delaying,  
670 restricting, or denying the use of a qualified contractor as  
671 authorized by this paragraph.

672 (3) A governing body shall create:

673 (a) A two-step application process for the adoption of a  
674 preliminary plat, and for stabilized access roads that can  
675 support emergency vehicles, inclusive of any plans, in order to  
676 expedite the issuance of building permits under this section.  
677 The application must allow an applicant to identify the  
678 percentage of planned homes or the number of building permits  
679 that the governing body must issue for the residential  
680 subdivision or planned community, or one or more phases of a  
681 multi-phased planned community or subdivision.

682 (4) (a) An applicant may use a private provider or  
683 qualified contractor in the same manner as provided in ~~pursuant~~  
684 ~~to~~ s. 553.791 to expedite the application process for building  
685 permits after a preliminary plat is approved under this section.

686 (b) A governing body upon the written request of the  
687 applicant shall use the qualified contractor program established  
688 in s. 163.3169 ~~shall establish a registry of at least three~~  
689 ~~qualified contractors whom the governing body may use to~~  
690 supplement staff resources in ways determined by the governing  
691 body for processing and expediting the review of an application  
692 for a preliminary plat or any plans related to such application.  
693 ~~A qualified contractor on the registry who is hired pursuant to~~  
694 ~~this section to review an application, or any part thereof, for~~  
695 ~~a preliminary plat, or any part thereof, may not have a conflict~~  
696 ~~of interest with the applicant. For purposes of this paragraph,~~  
697 ~~the term "conflict of interest" has the same meaning as in s.~~

698 ~~112.312.~~

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

704 (b) The applicant provides proof to the governing body  
705 that the applicant has provided a copy of the approved  
706 preliminary plat, along with the approved plans, to the relevant  
707 electric, gas, water, and wastewater utilities. As used in this  
708 paragraph, the term "approved plans" means plans approved for  
709 design and permit review and does not include, and may not be  
710 construed to require or imply, any certification, attestation,  
711 or confirmation of the completion of construction of any  
712 subdivision or planned community infrastructure, or improvements  
713 depicted in, referenced by, or required under such plans, except  
714 for the construction of the minimum access and roadway  
715 improvements required by the Florida Fire Prevention Code for  
716 fire department access and operations, such as a stabilized  
717 roadway for emergency access. No other subdivision or planned  
718 community infrastructure or improvements may be required to be  
719 constructed as a condition of building permit issuance or  
720 approval authorized under this section.

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

724 a. The actual completion, substantial completion, or  
725 physical installation of any subdivision or planned community  
726 infrastructure, or improvements identified in the approved  
727 preliminary plat or approved plans;

728 b. The submission, acceptance, or approval of any  
729 certification of completion or similar documentation, including,  
730 but not limited to, certificates of completion, substantial  
731 completion, engineer's or architect's certifications of  
732 completion, as-built or record drawings, pressure or compaction  
733 test results, utility acceptance letters, service availability  
734 letters, or similar confirmations of finished construction or  
735 readiness for service; or

736 c. Compliance with an environmental condition that is not  
737 required by its land development regulations, a local government  
738 comprehensive plan, a regulatory covenant or similar recorded  
739 instrument, a decision or order by a local zoning board or other  
740 quasi-judicial board, or by state law or federal law to obtain a  
741 building permit.

742 2. This paragraph applies notwithstanding any ordinance,  
743 resolution, policy, practice, permit condition, concurrency or  
744 proportionate-share requirement, interlocal agreement, utility  
745 policy or standard, or other local requirement to the contrary.

746 3. This paragraph may not be construed to prohibit a local  
747 government from requiring documentation strictly necessary to  
748 demonstrate compliance with the Florida Fire Prevention Code as  
749 a condition of issuing building permits. However, such  
750 documentation may not require the physical completion of the  
751 subdivision or planned community infrastructure, or improvements  
752 beyond what is expressly required to satisfy the Florida Fire  
753 Prevention Code.

754 4. Nothing in this paragraph shall be construed to relieve  
755 an applicant from completing or installing any infrastructure or  
756 improvements as a condition of issuance of a certificate of  
757 occupancy.

758 (c) The applicant holds a valid performance bond for up to  
759 130 percent of the necessary improvements, as defined in s.  
760 177.031(9), that have not been completed upon submission of the  
761 application under this section. For purposes of a master planned  
762 community as defined in s. 163.3202(5)(b), a valid performance  
763 bond is required on a phase-by-phase basis. For purposes of this  
764 section, a local government may waive the bonding requirement in  
765 this paragraph through its program or on a case-by-case basis  
766 upon request of the applicant. A local government may not  
767 require a performance bond as a condition of scheduling or  
768 conducting a preapplication meeting, presubmittal conference, or  
769 other preliminary review.

770 (8) For purposes of this section, an applicant has a

771 vested right in a preliminary plat that has been approved by a  
772 governing body for the earlier of at least 5 years or if all of  
773 the following conditions are met:

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

776 (b) The applicant incurs obligations and expenses,  
777 commences construction of the residential subdivision or planned  
778 community, and is continuing in good faith with the development  
779 of the property.

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