

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL: SB 968

INTRODUCER: Senator McClain

SUBJECT: Home Backup Power Systems

DATE: February 2, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shuler	Fleming	CA	Favorable
2.		RI	
3.		RC	

I. Summary:

SB 968 prohibits local governments from requiring building permits, adopting technical amendments to the Florida Building Code that would require permits, or adopting or enforcing any measure more stringent than the Building Code for backup power systems.

A “backup power system” is defined under the bill as equipment and associated components installed at or serving a one- or two-family dwelling or townhouse for the purpose of providing onsite electrical power during utility outages, load management, resiliency, or other similar purposes that is capable of providing no more than 50 kilowatts of output to the residence or has an aggregate storage capacity of no more than 100 kilowatt-hours, if the system includes energy storage. The bill specifies requirements related to inspections of backup power systems.

The bill also exempts work valued at less than \$7,500 on single-family dwelling lots from building permit requirements.

The bill provides an effective date of July 1, 2026.

II. Present Situation:

Florida Building Code

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida’s minimum standards were met. Local governments could choose from four separate model codes. The state’s role was limited to

adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.¹

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew easily destroyed those structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study commission's recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Building Code), and that first edition replaced all local codes on March 1, 2002.² The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Florida Building Code.³

Part IV of chapter 553, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.⁴

The Florida Building Commission (Commission) was created to implement the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code.⁵ The Commission reviews several International Codes published by the International Code Council,⁶ the National Electric Code, and other nationally adopted model codes to determine if the Building Code needs to be updated and adopts an updated Building Code every 3 years.⁷ Additionally, the Commission is required to adopt updates necessary to maintain eligibility for federal funding and discounts under the National Flood Insurance Program, the Federal Emergency Management Agency, and the United States Department of Housing and Urban Development.⁸

¹ FLA. DEPT. OF CMTY AFFAIRS, THE FLORIDA BUILDING COMMISSION REPORT TO THE 2006 LEGISLATURE 4 (Jan 2006), http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited Feb. 2, 2026).

² *Id.*

³ FLA. DEPT. OF BUS. & PRO. REGUL., *Florida Building Codes*, https://floridabuilding.org/bc/bc_default.aspx (last visited Feb. 2, 2026).

⁴ Section 553.72(1), F.S.

⁵ Sections 553.73 and 553.74, F.S.

⁶ The International Code Council (ICC) is an association that develops model codes and standards used in the design, building, and compliance process to construct safe, sustainable, affordable and resilient structures. INT'L CODE COUNCIL, *Who We Are*, <https://www.iccsafe.org/about/who-we-are/> (last visited Feb. 2, 2026).

⁷ Section 553.73(7)(a), F.S.

⁸ *Id.*

Amendments to the Building Code

The Commission and local governments may adopt technical and administrative amendments to the Building Code.⁹ The Commission may approve technical amendments to the Building Code once each year for statewide or regional application upon making certain findings.¹⁰

Local governments may adopt amendments to the Building Code that are more stringent than the Building Code that are limited to the local government's jurisdiction.¹¹ Amendments by local governments expire upon the adoption of the newest edition of the Building Code, and, thus, the local government would need to go through the amendment process every three years to maintain a local amendment to the Building Code.¹²

Building Permits

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public's health, safety, and welfare.¹³ Every local government must enforce the Building Code and issue building permits.¹⁴

A building permit is an official document or certificate issued by the local building official that authorizes performance of a specified activity.¹⁵ It is unlawful for a person, firm, corporation, or governmental entity to construct, erect, alter, modify, repair, or demolish any building without first obtaining a building permit from the appropriate enforcing agency or from such persons as may, by resolution or regulation, be delegated authority to issue such permit.¹⁶

Current law requires local governments to post their building permit applications, including a list of all required attachments, drawings, and documents for each application, on its website.¹⁷ The Act prescribes the information and format for applications for fire alarm permit applications.¹⁸ The minimum application information and format requirements for other building permits issued by local governments are prescribed by s. 713.135, F.S.

Any construction work that requires a building permit also requires plans and inspections to ensure the work complies with the Building Code.¹⁹ The Building Code requires certain building, electrical, plumbing, mechanical, and gas inspections.²⁰ Construction work may not be done

⁹ Section 553.73, F.S.

¹⁰ Section 553.73(9), F.S.

¹¹ Section 553.73(4), F.S.

¹² Section 553.73(4)(e), F.S.

¹³ Section 553.72(2), F.S.

¹⁴ Section 553.80(1), F.S. *See also* ss. 125.01(1)(bb) and 125.56(1), F.S.

¹⁵ Florida Building Code, *2023 Florida Building Code: 8th Edition*, s. 220 (2023), available at https://codes.iccsafe.org/content/FLBC2023P1/chapter-2-definitions#FLBC2023P1_Ch02_Sec202 (last visited Feb. 2, 2026).

¹⁶ Section 553.79(1), F.S. *See also* s. 125.56(4)(a).

¹⁷ Section 553.79(1), F.S.

¹⁸ *See* s. 553.7921, F.S.

¹⁹ *See* s. 533.79(2), F.S.

²⁰ Florida Building Code, *2023 Florida Building Code: 8th Edition*, s. 110.3 (2023), available at

https://codes.iccsafe.org/content/FLBC2023P1/chapter-1-scope-and-administration#FLBC2023P1_Ch01_SubCh02_Sec110 (last visited Feb. 2, 2026).

beyond a certain point until it passes an inspection.²¹ Generally speaking, a permit for construction work that passes the required inspections are considered completed or closed.²²

Exemptions from Permitting Requirements

A limited set of exemptions from the Building Code are specified in statute and the Building Code. The Act specifies the following buildings, structures, and facilities are exempt:²³

- Installation, replacement, removal, or metering of any load management control device²⁴.
- Federally regulated buildings and structures.
- Railroads and ancillary facilities.
- Nonresidential farm buildings on farms.
- Temporary buildings or sheds used exclusively for construction purposes.
- Mobile or modular structures used as temporary offices, except for accessibility by persons with disabilities requirements.
- Electric utility structures or facilities directly involved in electricity generation, transmission, or distribution.
- Temporary sets, assemblies, structures, or sound-recording equipment used in commercial motion picture or television production.
- Storage sheds not designed for human habitation with a floor area of 720 square feet or less are exempt from Building Code wind-borne-debris-impact standards. Such sheds that are 400 square feet or less used in conjunction with one- and two-family residences are exempt from Building Code door height and width requirements.
- Chickees constructed by the Miccosukee Tribe or the Seminole Tribe of Florida.
- Family mausoleums of less than 250 square feet in areas which are prefabricated or preassembled and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- Hunting buildings or structures of less than 1,000 square feet and which are repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if they are not rented or leased or used as a principal residence; not located in the 100-year floodplain; and not connected to electric or water supply.
- A drone port.
- Any system or equipment, whether affixed or movable, located on spaceport territory property and used for the activities related to space launch vehicles, payloads, or spacecraft.

The Building Code provides that certain types of work do not require permits, though such exemption “shall not be deemed to grant authorization for any work to be done in any manner in

²¹ *Id.* at s. 110.6.

²² Section 553.79(16), F.S.

²³ Section 553.79(1) and (10), F.S.

²⁴ Load management control device” means any device installed by any electric utility or its contractors which temporarily interrupts electric service to major appliances, motors, or other electrical systems contained within the buildings or on the premises of consumers for the purpose of reducing the utility’s system demand as needed in order to prevent curtailment of electric service in whole or in part to consumers and thereby maintain the quality of service to consumers, provided the device is in compliance with a program approved by the Florida Public Service Commission. S. 553.71(4), F.S.

violation of the" Building Code.²⁵ The Building Code does not require permits for work related to.²⁶

- Gas:
 - Portable heating appliance.
 - Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Mechanical:
 - Portable heating appliance.
 - Portable ventilation equipment.
 - Portable cooling unit.
 - Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
 - Replacement of any part that does not alter its approval or make it unsafe.
 - Portable evaporative cooler.
 - Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
 - The installation, replacement, removal or metering of any load management control device.
- Plumbing:
 - The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
 - The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

The Building Code allows for "ordinary minor repairs" to be made without a permit, but such repairs may not violate the technical code provisions of the Building Code.²⁷ Additionally, minor repairs may not include the cutting away of a wall or partition; the removal or cutting of a structural beam or load-bearing support; the removal, change, or rearrangement of parts of a structure affecting egress; the addition to, alteration of, replacement, or relocation of standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent, or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety.²⁸

²⁵ Florida Building Code, *2023 Florida Building Code: 8th Edition*, s. 105.2 (2023), available at https://codes.iccsafe.org/content/FLBC2023P1/chapter-1-scope-and-administration#FLBC2023P1_Ch01_SubCh02_Sec105.2 (last visited Feb. 2, 2026).

²⁶ *Id.*

²⁷ *Id.* at s. 105.2.2.

²⁸ *Id.*

National Flood Insurance Program

The National Flood Insurance Program (NFIP) was created by the passage of the National Flood Insurance Act of 1968.²⁹ The NFIP is administered by the Federal Emergency Management Agency (FEMA) and enables homeowners, business owners, and renters in flood-prone areas to purchase flood insurance protection from the federal government.³⁰ Participation in the NFIP by a community is voluntary.³¹ To join, a community must complete an application; adopt a resolution of intent to participate and cooperate with the FEMA; and adopt and submit a floodplain management ordinance that meets or exceeds the minimum NFIP criteria.³²

In coordination with participating communities, FEMA develops flood maps called Flood Insurance Rate Maps (FIRMs) that depict the community's flood risk and floodplain.³³ An area of specific focus on the FIRM is the Special Flood Hazard Area (SFHA).³⁴ The SFHA is intended to distinguish the flood risk zones where properties have a risk of 1 percent or greater risk of flooding every year³⁵ and at least a 26 percent chance of flooding over the course of a 30-year mortgage.³⁶ In a community that participates in the NFIP, owners of properties in the mapped SFHA are required to purchase flood insurance as a condition of receiving a federally backed mortgage.³⁷

Community Floodplain Management

Key conditions of the NFIP minimum floodplain management standards include, among things, that communities:

- Require permits for development in the SFHA;
- Require elevation of the lowest floor of all new residential buildings in the SFHA to or above the base flood elevation (BFE);³⁸
- Restrict development in floodways to prevent increasing the risk of flooding; and
- Require certain construction materials and methods that minimize future flood damage.³⁹

²⁹ The National Flood Insurance Act of 1968, Pub. L. 90-448, 82 Stat. 572 (codified as amended at 42 U.S.C. 4001 et seq.). See also FEMA, *Laws and Regulations*, <https://www.fema.gov/flood-insurance/rules-legislation/laws> (last visited Feb. 2, 2026).

³⁰ See FEMA, *Flood Insurance*, <https://www.fema.gov/flood-insurance> (last visited Feb. 2, 2026).

³¹ FEMA, *Participation in the NFIP*, <https://www.fema.gov/about/glossary/participation-nfip> (last visited Feb. 2, 2026).

³² *Id.*

³³ See Congressional Research Service, *Introduction to the National Flood Insurance Program*, 2 (2025), available at <https://crsreports.congress.gov/product/pdf/R/R44593> (last visited Feb. 2, 2026).

³⁴ *Id.* at 3.

³⁵ *Id.*

³⁶ FEMA, *Coastal Hazards & Flood Mapping: A Visual Guide*, 6, available at https://www.fema.gov/sites/default/files/documents/fema_coastal-glossary.pdf (last visited Feb. 2, 2026).

³⁷ Congressional Research Service, *Introduction to the National Flood Insurance Program*, 10 (2025), available at <https://crsreports.congress.gov/product/pdf/R/R44593> (last visited Feb. 2, 2026). Such lenders include federal agency lenders, such as the Department of Veterans Affairs, government-sponsored enterprises Fannie Mae, Freddie Mac, and federally regulated lending institutions, such as banks covered by the Federal Deposit Insurance Corporation or the Office of the Comptroller of the Currency. *Id.*

³⁸ The “base flood elevation” is the elevation of surface water resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year. See FEMA, *Base Flood Elevation (BFE)*, (Mar. 5, 2020), <https://www.fema.gov/about/glossary/base-flood-elevation-bfe> (last visited Feb. 2, 2026).

³⁹ Congressional Research Service, *Introduction to the National Flood Insurance Program*, 6 (2025), available at <https://crsreports.congress.gov/product/pdf/R/R44593> (last visited Feb. 2, 2026).

The NFIP regulations for floodplain management generally require permits for all proposed construction or other development in the community “so that it may determine whether such construction or other development is proposed within flood-prone areas.”⁴⁰ Once a regulatory floodway has been designated, the community must prohibit encroachments, including fill, new construction, substantial improvements, and other development within the floodway unless data demonstrates that the encroachment would not result in flood levels in the community during a base flood discharge.⁴¹ Once coastal high hazard areas or flood protection restoration areas have been identified, the community must ensure that all new construction in certain zones are landward of the mean high tide.⁴²

The Community Rating System (CRS) within the NFIP is a voluntary incentive program that rewards communities for implementing floodplain management practices that exceed the minimum requirements of the NFIP.⁴³ Property owners within communities that participate in the CRS program receive discounts on flood insurance premiums.⁴⁴ Premium discounts range from 5 to 45 percent based on a community’s CRS credit points.⁴⁵ Communities earn credit points by implementing a variety of activities that fall into one of four categories: public information activities, mapping and regulations, flood damage reduction activities, and warning and response.⁴⁶ To receive credit, the activities must meet the criteria specified for each project.⁴⁷ A prerequisite for participation in the CRS is that communities obtain, review, correct, and maintain all floodplain-related construction certifications, make them available to the public, and have written procedures for such processes.⁴⁸

Backup Power Systems

Onsite backup power systems generate power locally at a facility site to provide power when the utility is not available.⁴⁹ A backup power system consists of a power source, fueled by natural gas, propane, or diesel, and a means to transfer power from that source to the load when an outage occurs.⁵⁰ A backup power system may or may not be interconnected with the utility grid.⁵¹ The system may be designed based on a variety of considerations, including the intensity and sensitivity of the power load; the location of the installation; the need for a standby, prime,

⁴⁰ See 44 C.F.R. s. 60.3(a).

⁴¹ 44 C.F.S. s. 60.3(d)(3).

⁴² 44 C.F.R. s. 60.3(e)(3) and (f)(1).

⁴³ FEMA, *Community Rating System*, <https://www.fema.gov/floodplain-management/community-rating-system> (last visited Feb. 2, 2026).

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ Florida Office of Insurance Regulation, *Cumulative Substantial Improvement Period Study Final Report*, (Nov. 26, 2024) 19, available at <https://flioir.com/docs-sf/default-source/property-and-casualty/other-property-casualty-reports/final-report.pdf> (last visited Feb. 2, 2026).

⁴⁷ See FEMA, *Coordinator’s Manual* (2025), available at https://www.fema.gov/sites/default/files/documents/fema_crs_coordinators-manual_082025.pdf (last visited Feb. 2, 2026).

⁴⁸ *Id.* at 300-3.

⁴⁹ National Electrical Manufacturers Association, *Backup Power Systems*, <https://www.nema.org/storm-disaster-recovery/backup-generation/backup-power-systems> (last visited Feb. 2, 2026).

⁵⁰ *Id.*

⁵¹ *Id.*

or continuous rating; and environmental considerations related to noise, exhaust emissions, and fuel storage.⁵²

Current law requires a permit for the installation of a residential backup system or whole house generator.⁵³ Various municipalities and counties provide more specific guidance on their requirements for generator permits. For example, Hillsborough County requires all of the following:⁵⁴

- A licensed contractor to apply for a residential electrical trade permit.
- Receive two inspections (electrical rough in and electrical final).
- A notice of commencement submitted prior to the first inspection.
- Provide a digitally signed and sealed site plan, including verification the project will not encroach into an easement, wetland or wetland setback.
- Verify the applicable zoning district, flood hazard areas and Base Flood Elevation on the site plan. If the proposed project will be located within a Special Flood Hazard Area (SFHA); the site plan must indicate the minimum required design flood elevation.

III. Effect of Proposed Changes:

Backup Power Systems

The bill prohibits local governments from imposing permitting requirements related to backup power systems.

Section 3 of the bill prohibits local governments from requiring a building permit or having a local review or approval process that mirrors the building permit process, for the design, installation, relocation, replacement, or repair of a backup power system installed by a licensed contractor or public utility. However, the bill provides that the prohibition against local building permit requirements does not apply to a backup power system designed, installed, relocated, replaced, or repaired by an owner-builder and that unlicensed contracting is not authorized.

A “backup power system” is defined under the bill as equipment and associated components installed at or serving a one- or two-family dwelling or townhouse for the purpose of providing onsite electrical power during utility outages, load management, resiliency, or other similar purposes that is capable of providing no more than 50 kilowatts of output to the residence or has an aggregate storage capacity of no more than 100 kilowatt-hours, if the system includes energy storage.

A county, municipality, or special district is prohibited under the bill from adopting or enforcing any ordinance, rule, or other measure that regulates the installation of backup power systems beyond enforcing the standards contained in the Building Code and the Florida Fire Prevention Code (FFPC).

⁵² *Id.*

⁵³ See s. 553.79(1), F.S.

⁵⁴ Hillsborough County, *Residential Backup Generators Requirements*, <https://hcfl.gov/businesses/hillsgovhub/residential-and-mobile-home-checklists/residential-backup-generators-requirements> (last visited Feb. 2, 2026).

A local enforcement agency is authorized to conduct inspections in person or virtually to ensure compliance with the Building Code and FFPC, but is prohibited from conditioning an inspection on obtaining a building permit or undergoing an equivalent review or approval process and from requiring a plans review. An owner or installing contractor may choose to have the inspection performed by a private provider. The private provider must meet the timelines for emergency inspections and submission requirements of inspection reports.

Upon a finding of noncompliance, a local enforcement agency must issue a written notice of correction citing the specific code sections out of compliance and required remedy to achieve compliance. Stop-work orders may only be issued to address immediate dangers to life or safety for the affected area. After the issues are addressed, the local enforcement agency must offer a reinspection date within the earlier of 2 business days after the request or on the next day inspections are being conducted. If a reinspection does not take place within this timeframe, a private provider inspection report constitutes acceptance by the local enforcement agency.

For existing occupied dwellings, the bill provides that a failed inspection of a backup power system may not be the sole basis for a local enforcement agency to withhold or revoke a certificate of occupancy. The enforcement agency can withhold authorization to energize the backup power system until corrections are verified. A private provider is authorized to inspect and complete the certificate of compliance.

Section 1 of the bill prohibits local governments from adopting technical amendments to the Building Code that require permits or a functionally equivalent local review or approval for exempt backup power systems.

Section 4 of the bill specifies that it does not alter or abridge the jurisdiction of the Public Service Commission or the exemptions for utilities and cooperatives relating to interconnection and net metering. The bill does not affect any tariff, service policy, or interconnection requirements of a utility or cooperative.

Work Valued at Less than \$7,500

Section 2 The bill amends s. 553.79, F.S. to prohibit local governments from requiring owners of single-family dwellings to obtain permits on work valued at \$7,500 or less on such a dwelling's lot. Local governments may still require permits for electrical, plumbing, or structural work, except for the repair or replacement of exterior doors or windows, regardless of the value. Contractors performing such exempted work must keep written records of the work, the property address, and the value of such work as proof.

The bill provides an effective date of July 1, 2026.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Section 18 of Article VII of the Florida Constitution governs laws that require counties and municipalities to spend funds, limit the ability of counties and municipalities to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

Section 18(b) of Article VII of the Florida Constitution provides that except upon approval of each house of the Legislature by two-thirds vote of the membership, the legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,^{55,56} which is \$2.4 million or less for Fiscal Year 2026-2027.⁵⁷

The REC has not yet reviewed SB 968 and the bill is likely to have a negative fiscal impact due to the reduction of fees that local governments may receive because of the exemptions of certain projects from building permit requirements. If SB 968 reduces the authority for counties and municipalities to raise revenue in an amount that exceeds the threshold for an insignificant impact, the mandates provision of section 18 of Article VII of the Florida Constitution may apply.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

⁵⁵ FLA. CONST. art. VII, s. 18(d).

⁵⁶ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON COMTY. AFFAIRS, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Feb. 2, 2026).

⁵⁷ Based on the Demographic Estimating Conference's estimated population adopted on June 30, 2025, <https://edr.state.fl.us/Content/conferences/population/archives/250630demographic.pdf> (last visited Feb. 2, 2026).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Because of the exemption of certain projects from building permit requirements, those going through the building permitting process may enjoy cost savings resulting from not having to pay permit fees.

C. Government Sector Impact:

Local governments may receive reduced revenues from building permit fees due to the exemption of certain projects from building permit requirements.

VI. Technical Deficiencies:

None.

VII. Related Issues:

- Article III, s. 6 of the Florida Constitution requires all laws to “embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title”. The “relating to” clause of SB 968 is “home backup power systems,” which relates to the contents of sections 1, 3, and 4 of the bill. However, section 2 relates to building permits for work valued below a certain threshold. Since section 2 appears to be not directly related to the more specific topic of home backup power systems, the “relating to clause” may not satisfy the requirements of Art. III, s. 6 of the Florida Constitution.
- Sections 1 and 2 of the bill exempt backup power systems from permitting requirements, but lines 73-74 authorize local governments to require building permits for electrical work. These provisions should be revised to clarify local government permitting authority related to electrical work and backup power systems.
- The exemption of the installation of backup power systems and work with a value of less than \$7,500 could conflict with the general requirement for communities wishing to participate in the NFIP that they implement floodplain management standards, including that they require permits for new construction and development. Additionally, these exemptions could impact flood insurance discounts communities receive under the CRS, depending on the standards and activities participating communities have implemented.

VIII. Statutes Affected:

This bill substantially amends sections 553.73 and 553.79 of the Florida Statutes.

This bill creates section 553.7923 of the Florida Statutes and an undesignated section of law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
