

By Senator Stargel

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1 A bill to be entitled
 2 An act relating to fees of the Department of Business
 3 and Professional Regulation; amending s. 455.271,
 4 F.S.; revising the amount of the additional
 5 delinquency fee a board or the department must impose
 6 under certain circumstances; amending s. 553.721,
 7 F.S.; revising the surcharge rate assessed on certain
 8 permits; providing an effective date.

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

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 12 Section 1. Subsection (7) of section 455.271, Florida
 13 Statutes, is amended to read:

14 455.271 Inactive and delinquent status.—

15 (7) Notwithstanding the professional practice acts
 16 administered by the department, each board, or the department
 17 when there is no board, shall, by rule, impose an additional
 18 delinquency fee of \$25, ~~not to exceed the biennial renewal fee~~
 19 ~~for an active status license,~~ on a delinquent status licensee
 20 when such licensee applies for active or inactive status.

21 Section 2. Section 553.721, Florida Statutes, is amended to
 22 read:

23 553.721 Surcharge.—In order for the Department of Business
 24 and Professional Regulation to administer and carry out the
 25 purposes of this part and related activities, there is created a
 26 surcharge, ~~to be~~ assessed at the rate of 1.0 ~~1.5~~ percent of the
 27 permit fees associated with enforcement of the Florida Building
 28 Code as defined by the uniform account criteria and specifically
 29 the uniform account code for building permits adopted for local
 30 government financial reporting pursuant to s. 218.32. The
 31 minimum amount collected on any permit issued shall be \$2. The
 32 unit of government responsible for collecting a permit fee

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33 pursuant to s. 125.56(4) or s. 166.201 shall collect the
34 surcharge and electronically remit the funds collected to the
35 department on a quarterly calendar basis for the preceding
36 quarter and continuing each third month thereafter. The unit of
37 government shall retain 10 percent of the surcharge collected to
38 fund the participation of building departments in the national
39 and state building code adoption processes and to provide
40 education related to enforcement of the Florida Building Code.
41 All funds remitted to the department pursuant to this section
42 shall be deposited in the Professional Regulation Trust Fund.
43 Funds collected from the surcharge shall be allocated to fund
44 the Florida Building Commission and the Florida Building Code
45 Compliance and Mitigation Program under s. 553.841. Funds
46 allocated to the Florida Building Code Compliance and Mitigation
47 Program shall be \$925,000 each fiscal year. The Florida Building
48 Code Compliance and Mitigation Program shall fund the
49 recommendations made by the Building Code System Uniform
50 Implementation Evaluation Workgroup, dated April 8, 2013, from
51 existing resources, not to exceed \$30,000 in the 2016-2017
52 fiscal year. Funds collected from the surcharge shall also be
53 used to fund Florida Fire Prevention Code informal
54 interpretations managed by the State Fire Marshal and shall be
55 limited to \$15,000 each fiscal year. The State Fire Marshal
56 shall adopt rules to address the implementation and expenditure
57 of the funds allocated to fund the Florida Fire Prevention Code
58 informal interpretations under this section. The funds collected
59 from the surcharge may not be used to fund research on
60 techniques for mitigation of radon in existing buildings. Funds
61 used by the department as well as funds to be transferred to the

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62 Department of Health and the State Fire Marshal shall be as
63 prescribed in the annual General Appropriations Act. The
64 department shall adopt rules governing the collection and
65 remittance of surcharges pursuant to chapter 120.

66 Section 3. This act shall take effect July 1, 2017.