

26 submit a notice of commencement before the
 27 installation of a backup power system; providing an
 28 exception; prohibiting local governments from adopting
 29 or enforcing certain ordinances, rules, or other
 30 measures; authorizing a local enforcement agency to
 31 conduct an inspection, either in person or virtually;
 32 prohibiting local enforcement agencies from requiring
 33 more than one inspection except under certain
 34 circumstances; authorizing an owner or the owner's
 35 contractor to use a private provider for certain
 36 inspections; requiring a local enforcement agency to
 37 provide certain persons a written notice of correction
 38 under certain circumstances; authorizing a stop-work
 39 order only under specific circumstances; requiring a
 40 local enforcement agency to offer an owner or the
 41 owner's contractor a reinspection date within a
 42 certain time period; providing that a private provider
 43 inspection report constitutes acceptance under certain
 44 circumstances; prohibiting a local enforcement agency
 45 from withholding or revoking a certificate of
 46 occupancy based solely on a failed inspection report;
 47 providing construction; providing an effective date.

48
 49 Be It Enacted by the Legislature of the State of Florida:
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51 **Section 1. Section 553.382, Florida Statutes, is amended**
 52 **to read:**

53 553.382 Placement of certain housing.—Notwithstanding any
 54 other law or ordinance to the contrary, in order to expand the
 55 availability of affordable housing in this state, any
 56 residential manufactured building that is certified under this
 57 chapter by the department may not be denied a building permit
 58 for placement ~~be placed~~ on a mobile home lot in a mobile home
 59 park, on any lot in a recreational vehicle park, or in a mobile
 60 home condominium, cooperative, or subdivision. Any such housing
 61 unit placed on a mobile home lot is a mobile home for purposes
 62 of chapter 723 and, therefore, all rights, obligations, and
 63 duties under chapter 723 apply, including the specifics of the
 64 prospectus. However, a housing unit subject to this section may
 65 not be placed on a mobile home lot without the prior written
 66 approval of the park owner. Each housing unit located on a
 67 mobile home lot and subject to this section shall be taxed as a
 68 mobile home under s. 320.08(11) and is subject to payments to
 69 the Florida Mobile Home Relocation Fund under s. 723.06116.

70 **Section 2. Paragraph (1) of subsection (4) of section**
 71 **553.73, Florida Statutes, is redesignated as paragraph (m), and**
 72 **a new paragraph (1) is added to that subsection, to read:**

73 553.73 Florida Building Code.—

74 (4)

75 (1) A local government may not adopt a technical amendment

76 to the Florida Building Code that requires a building permit, or
 77 any local review or approval process that is functionally
 78 equivalent to the permitting process, for a backup power system
 79 that is exempt under s. 553.796.

80 **Section 3. Paragraph (g) is added to subsection (1) of**
 81 **section 553.79, Florida Statutes, to read:**

82 553.79 Permits; applications; issuance; inspections.—

83 (1)

84 (g)1. A local enforcement agency may not require a
 85 building permit for any work valued at less than \$7,500 that is
 86 performed on a parcel containing a single-family residential
 87 dwelling. A construction project may not be divided into more
 88 than one project for the purpose of evading the requirements in
 89 this section. The exemption in this subparagraph does not apply
 90 to construction, repair, remodeling, or improvement projects
 91 that are part of a larger or major project, whether undertaken
 92 by the same or a different contractor, or in which a division of
 93 the operation is made in contracts of amounts less than \$7,500
 94 for the purpose of evading this part or otherwise.

95 2. A local enforcement agency may require a building
 96 permit for any electrical, plumbing, structural, mechanical, or
 97 gas work, excluding the repair or replacement of exterior doors
 98 or windows, that is performed on a single-family dwelling
 99 parcel, regardless of the value of the work.

100 3. A contractor who performs work that does not require a

101 permit under subparagraph 1. must keep for at least 5 years a
 102 written record of the work performed, the property address at
 103 which the work was performed, and the value of such work.

104 **Section 4. Section 553.796, Florida Statutes, is created**
 105 **to read:**

106 553.796 Building permit exemption for backup power
 107 systems.—

108 (1) As used in this section, the term "backup power
 109 system" means equipment and associated components installed at
 110 or serving a one-family or two-family dwelling or townhouse for
 111 the purpose of providing on-site electrical power during utility
 112 outages, load management, resiliency, or other similar purposes,
 113 and which is capable of providing no more than 50 kilowatts of
 114 output to the dwelling or townhouse or, if the system includes
 115 energy storage, has an aggregate storage capacity of no more
 116 than 100 kilowatt hours.

117 (2) A local enforcement agency may not require a building
 118 permit, or any local review or approval process that is
 119 functionally equivalent to the permitting process, for the
 120 design, installation, relocation, replacement, or repair of a
 121 backup power system that is installed by a contractor licensed
 122 under chapter 489 or a public utility that is exempt from
 123 licensure under s. 489.503(4). A local enforcement agency must
 124 establish a process for licensed contractors to submit to the
 125 local enforcement agency a notice of commencement instead of a

126 permit application before the installation of a backup power
 127 system. The licensed contractor performing the installation must
 128 submit such notice of commencement to the local enforcement
 129 agency before the installation of a backup power system.

130 (3) The installation of a backup power system performed by
 131 an owner and not a contractor licensed under chapter 489 is not
 132 eligible for the permit exemption under this section and the
 133 owner must proceed under otherwise applicable permitting
 134 requirements. This section does not authorize unlicensed
 135 contracting.

136 (4) Notwithstanding chapters 125 and 166 or any other law,
 137 a county, municipality, or special district may not adopt or
 138 enforce an ordinance, a rule, or any other measure, beyond
 139 enforcing the standards contained in the Florida Building Code
 140 and the Florida Fire Prevention Code, that regulates the
 141 installation, relocation, replacement, or repair of backup power
 142 systems.

143 (5) (a) A local enforcement agency may conduct an
 144 inspection, in person or virtually, of a backup power system to
 145 verify compliance with the Florida Building Code and the Florida
 146 Fire Prevention Code. An inspection under this subsection may
 147 not be conditioned on an owner or the owner's contractor
 148 obtaining a building permit, or any local review or approval
 149 process that is functionally equivalent to the permitting
 150 process, and may not include a plans review. A local enforcement

151 agency may not require more than one inspection of a backup
152 power system except in the case of noncompliance as provided in
153 subsection (6).

154 (b) An owner or the owner's contractor may choose to have
155 the inspection of a backup power system performed by a private
156 provider in accordance with s. 553.791. A private provider must
157 adhere to the timelines for emergency inspections and submittal
158 requirements of inspection reports. The procedures in s.
159 553.791(13) apply to inspections under this section performed by
160 a private provider.

161 (6) If a local enforcement agency finds that an owner or
162 the owner's contractor has not complied with this section, the
163 local enforcement agency must provide to such person a written
164 notice of correction that cites the specific code sections out
165 of compliance and the required remedy to correct such
166 noncompliance. The local enforcement agency may issue a stop-
167 work order only to address an immediate danger to life or safety
168 and only for the affected portion of the work being performed.
169 Upon request by the owner or the owner's contractor after the
170 noncompliance has been corrected, the local enforcement agency
171 must offer a reinspection date within 2 business days after such
172 request or on the next day inspections are being conducted,
173 whichever is earlier. If a reinspection does not occur within
174 the required timeframe, a private provider inspection report
175 completed pursuant to s. 553.791 constitutes acceptance on the

176 part of the local enforcement agency.

177 (7) A failed inspection report of a backup power system
 178 installed at or serving an existing and occupied one-family or
 179 two-family dwelling or townhouse may not be the sole basis for a
 180 local enforcement agency to withhold or revoke a certificate of
 181 occupancy for the dwelling or townhouse. Instead, the local
 182 enforcement agency shall withhold authorization to energize the
 183 backup power system until any corrections are performed and
 184 verified.

185 **Section 5.** This act does not alter or abridge the
 186 jurisdiction of the Public Service Commission under chapter 366,
 187 Florida Statutes, the exemptions for utilities and cooperatives
 188 under s. 366.11, Florida Statutes, or the requirements of rule
 189 25-6.065, Florida Administrative Code, relating to
 190 interconnection and net metering. This act does not affect any
 191 tariff, service policy, or interconnection requirements of a
 192 utility or cooperative.

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