

26 F.S.; requiring a local jurisdiction to include
 27 specified information on its website; prohibiting a
 28 local jurisdiction from charging fees for plans review
 29 services performed by a private provider; requiring
 30 the local enforcement agency to reduce permit fees for
 31 commercial construction projects by certain
 32 percentages under certain circumstances; prohibiting
 33 the local enforcement agency from collecting any fees
 34 for a commercial construction project under certain
 35 circumstances; requiring a specified surcharge to be
 36 calculated based on the reduced permit fee; providing
 37 construction; amending ss. 497.271 and 553.902, F.S.;
 38 conforming cross-references; providing an effective
 39 date.

40

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

42

43 **Section 1. Section 255.0994, Florida Statutes, is created**
 44 **to read:**

45 255.0994 Public works projects; unenforceability of
 46 certain contract provisions regarding delays.-

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

48 (a) "Concurrent delays" means two or more unrelated delays
 49 in a contractor's performance of a contract for a public works
 50 project which happen at the same time or overlap in time, each

51 of which on its own would have delayed the contractor's
 52 performance.

53 (b) "Governmental entity" has the same meaning as in s.
 54 255.0993(1).

55 (c) "Public works project" has the same meaning as in s.
 56 255.0992(1).

57 (2) Except as otherwise required by federal or state law,
 58 a governmental entity that contracts for a public works project
 59 may not:

60 (a) Enforce any contract provision that eliminates or
 61 limits a contractor's right to receive compensation for damages
 62 and increased costs, equitable adjustments, and time extensions
 63 due to a delay in performance of the contract, either on the
 64 contractor's own behalf or on behalf of a subcontractor or
 65 supplier, to the extent the delay was caused in whole or in part
 66 by the acts or omissions of the governmental entity or an agent,
 67 an employee, or a person acting on behalf of the governmental
 68 entity.

69 (b) Enforce any contract provision that eliminates or
 70 limits a contractor's right to receive time extensions due to
 71 concurrent delays, either on the contractor's own behalf or on
 72 behalf of a subcontractor or supplier, if at least one of the
 73 delays is caused in whole or in part by the acts or omissions of
 74 the governmental entity or an agent, an employee, or a person
 75 acting on behalf of the governmental entity.

76 (3) This section may not be construed to render
 77 unenforceable a provision of a contract for a public works
 78 project which:

79 (a) Requires the party claiming a delay to give notice of
 80 the acts or omissions giving rise to the delay; or

81 (b) Provides for arbitration or any other procedure
 82 designed to settle contract disputes.

83 (4) If a contract for a public works project contains a
 84 provision that is unenforceable under this section, the
 85 provision must be severed from the contract and the remaining
 86 provisions remain in full force and effect.

87 (5) This section applies to any contract for a public
 88 works project entered into on or after July 1, 2026.

89 **Section 2. Subsections (1) through (12) of section 553.71,**
 90 **Florida Statutes, are renumbered as subsections (2) through**
 91 **(13), respectively, and a new subsection (1) is added to that**
 92 **section, to read:**

93 553.71 Definitions.—As used in this part, the term:

94 (1) "Commercial construction project" means the
 95 construction, alteration, or repair of a building or structure
 96 that is primarily intended for business, industrial,
 97 institutional, or mercantile use and is not classified as
 98 residential under the Florida Building Code.

99 **Section 3. Section 553.789, Florida Statutes, is created**
 100 **to read:**

101 553.789 Uniform commercial building permit application.-
 102 (1) By December 31, 2027, the commission shall adopt by
 103 rule a uniform commercial building permit application to be used
 104 statewide for commercial construction projects. The application
 105 must include, at a minimum, the following information:
 106 (a) The name and contact information of the property
 107 owner.
 108 (b) The name, license number, and contact information of
 109 the contractor, if known at the time of application.
 110 (c) The address and parcel identification number of the
 111 construction project.
 112 (d) The project type and occupancy classification under
 113 the Florida Building Code.
 114 (e) A description of the construction project, including
 115 whether the project is new construction or an alteration, an
 116 addition, or a repair.
 117 (f) The total square footage and declared value of the
 118 construction project.
 119 (g) The architect or engineer of record, if applicable.
 120 (h) The identification of private provider services used
 121 under s. 553.791, if any.
 122 (2) The commission shall adopt by rule additional trade-
 123 specific forms for trades that are often present on a project,
 124 including, but not limited to, electric, HVAC, plumbing, and
 125 water and sewer.

126 (3) A local enforcement agency must accept the uniform
 127 commercial building permit application and other standardized
 128 forms as adopted by the commission. However, a local enforcement
 129 agency may require additional documentation or plans reasonably
 130 necessary for the applicant to demonstrate compliance with the
 131 Florida Building Code or local zoning ordinances.

132 **Section 4. Paragraph (a) of subsection (5) and paragraph**
 133 **(a) of subsection (24) of section 553.79, Florida Statutes, are**
 134 **amended, and paragraph (g) is added to subsection (1) of that**
 135 **section, to read:**

136 553.79 Permits; applications; issuance; inspections.—

137 (1)

138 (g) Permit fees imposed by a local enforcement agency are
 139 limited to the actual and reasonable costs incurred in
 140 reviewing, processing, and administering the permit and may not
 141 be based on industry standards, market rates, or comparable
 142 retail pricing. Permit fees must be proportional to the work
 143 performed reviewing, processing, and administering the permit.

144 (5) (a) During new construction or during repair or
 145 restoration projects in which the structural system or
 146 structural loading of a building is being modified, the
 147 enforcing agency shall require a special inspector to perform
 148 structural inspections on a threshold building pursuant to a
 149 structural inspection plan prepared by the engineer or architect
 150 of record. The structural inspection plan must be submitted to

151 and approved by the enforcing agency before the issuance of a
 152 building permit for the construction of a threshold building.
 153 The purpose of the structural inspection plan is to provide
 154 specific inspection procedures and schedules so that the
 155 building can be adequately inspected for compliance with the
 156 permitted documents. The special inspector may not serve as a
 157 surrogate in carrying out the responsibilities of the building
 158 official, the architect, or the engineer of record. The
 159 contractor's contractual or statutory obligations are not
 160 relieved by any action of the special inspector. The special
 161 inspector shall determine that a professional engineer who
 162 specializes in shoring design has inspected the shoring and
 163 reshoring for conformance with the shoring and reshoring plans
 164 submitted to the enforcing agency. A fee simple title owner of a
 165 building, which does not meet the minimum size, height,
 166 occupancy, occupancy classification, or number-of-stories
 167 criteria which would result in classification as a threshold
 168 building under s. 553.71(13) ~~s. 553.71(12)~~, may designate such
 169 building as a threshold building, subject to more than the
 170 minimum number of inspections required by the Florida Building
 171 Code.

172 (24) (a) A political subdivision of this state may not
 173 adopt or enforce any ordinance or impose any building permit or
 174 other development order requirement that:

- 175 1. Contains any building, construction, or aesthetic

176 requirement or condition that conflicts with or impairs
 177 corporate trademarks, service marks, trade dress, logos, color
 178 patterns, design scheme insignia, image standards, or other
 179 features of corporate branding identity on real property or
 180 improvements thereon used in activities conducted under chapter
 181 526 or in carrying out business activities defined as a
 182 franchise by Federal Trade Commission regulations in 16 C.F.R.
 183 ss. 436.1, et. seq.; ~~or~~

184 2. Imposes any requirement on the design, construction, or
 185 location of signage advertising the retail price of gasoline in
 186 accordance with the requirements of ss. 526.111 and 526.121
 187 which prevents the signage from being clearly visible and
 188 legible to drivers of approaching motor vehicles from a vantage
 189 point on any lane of traffic in either direction on a roadway
 190 abutting the gas station premises and meets height, width, and
 191 spacing standards for Series C, D, or E signs, as applicable,
 192 published in the latest edition of Standard Alphabets for
 193 Highway Signs published by the United States Department of
 194 Commerce, Bureau of Public Roads, Office of Highway Safety; or

195 3. Imposes a glazing requirement that results in the
 196 glazing of more than 15 percent of the surface area of the
 197 primary facade for up to, and including, 10 feet above the
 198 ground floor for a proposed commercial or mixed-use new
 199 construction or restoration project. A glazing requirement may
 200 not be imposed or enforced on any facade other than the primary

201 facade and may not be imposed or enforced on any portion of the
 202 primary facade that is higher than 10 feet above the ground
 203 floor. For purposes of this subparagraph, the term:

204 a. "Glazing" means the installation of transparent or
 205 translucent materials, including glass or similar substances, in
 206 windows, doors, or storefronts, and includes the addition of
 207 actual or faux windows to a building facade.

208 b. "Primary facade" means the single building side on
 209 which the primary entrance to a building is located.

210 **Section 5. Paragraph (b) of subsection (2) of section**
 211 **553.791, Florida Statutes, is amended, and paragraph (d) is**
 212 **added to that subsection, to read:**

213 553.791 Alternative plans review and inspection.—

214 (2)

215 (b) If an owner or contractor retains a private provider
 216 for purposes of plans review or building inspection services,
 217 the local jurisdiction must reduce the permit fee by the amount
 218 of cost savings realized by the local enforcement agency for not
 219 having to perform such services. Such reduction may be
 220 calculated on a flat fee or percentage basis, or any other
 221 reasonable means by which a local enforcement agency assesses
 222 the cost for its plans review or inspection services. The local
 223 jurisdiction must include the applicable reduction in the permit
 224 fee on its schedule of fees posted on the local jurisdiction's
 225 website. The local jurisdiction may not charge fees for plans

226 review or building inspections if the fee owner or contractor
 227 hires a private provider to perform such services; however, the
 228 local jurisdiction may charge a reasonable administrative fee,
 229 which shall be based on the cost that is actually incurred,
 230 including the labor cost of the personnel providing the service,
 231 by the local jurisdiction or attributable to the local
 232 jurisdiction for the clerical and supervisory assistance
 233 required, or both. The local jurisdiction shall specify on its
 234 website the services covered by the administrative fee.

235 (d) If an owner or a contractor retains a private provider
 236 for purposes of plans review or building inspection services for
 237 a commercial construction project, the local enforcement agency
 238 must reduce the permit fee by at least 25 percent of the portion
 239 of the permit fee attributable to plans review or building
 240 inspection services, as applicable. If an owner or a contractor
 241 retains a private provider for all required plans review and
 242 building inspection services, the local enforcement agency must
 243 reduce the total permit fee by at least 50 percent of the amount
 244 otherwise charged for such services. If a local enforcement
 245 agency does not reduce its fees by at least the percentages
 246 provided in this paragraph, the local enforcement agency
 247 forfeits the ability to collect any fees for the commercial
 248 construction project. The surcharge required by s. 553.721 shall
 249 be calculated based on the reduced permit fee. This paragraph
 250 does not prohibit a local enforcement agency from reducing its

251 fees in excess of the percentages provided in this paragraph.

252 **Section 6. Subsection (3) of section 497.271, Florida**
 253 **Statutes, is amended to read:**

254 497.271 Standards for construction and significant
 255 alteration or renovation of mausoleums and columbaria.—

256 (3) The licensing authority shall transmit the rules as
 257 adopted under subsection (2), referred to as the "mausoleum
 258 standards," to the Florida Building Commission, which shall
 259 initiate rulemaking under chapter 120 to consider such mausoleum
 260 standards. If such mausoleum standards are not deemed
 261 acceptable, they must be returned by the Florida Building
 262 Commission to the licensing authority with details of changes
 263 needed to make them acceptable. If such mausoleum standards are
 264 acceptable, the Florida Building Commission must adopt a rule
 265 designating the mausoleum standards as an approved revision to
 266 the State Minimum Building Codes under part IV of chapter 553.
 267 When designated by the Florida Building Commission, such
 268 mausoleum standards shall become a required element of the State
 269 Minimum Building Codes under s. 553.73(2)(a) and shall be
 270 transmitted to each local enforcement agency, as defined in s.
 271 553.71 ~~s. 553.71(5)~~. Such local enforcement agency shall
 272 consider and inspect for compliance with such mausoleum
 273 standards as if they were part of the local building code, but
 274 shall have no continuing duty to inspect after final approval of
 275 the construction pursuant to the local building code. Any

276 further amendments to the mausoleum standards shall be
 277 accomplished by the same procedure. Such designated mausoleum
 278 standards, as from time to time amended, shall be a part of the
 279 State Minimum Building Codes under s. 553.73 until the adoption
 280 and effective date of a new statewide uniform minimum building
 281 code, which may supersede the mausoleum standards as provided by
 282 the law enacting the new statewide uniform minimum building
 283 code.

284 **Section 7. Subsection (5) of section 553.902, Florida**
 285 **Statutes, is amended to read:**

286 553.902 Definitions.—As used in this part, the term:
 287 (5) "Local enforcement agency" means the agency of local
 288 government which has the authority to make inspections of
 289 buildings and to enforce the Florida Building Code. The term
 290 includes any agency within the definition of s. 553.71(6) ~~s.~~
 291 ~~553.71(5)~~.

292 **Section 8.** This act shall take effect July 1, 2026.