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A bill to be entitled
 An act relating to building permits and inspections;
 amending s. 125.56, F.S.; providing for expiration of
 certain building permits issued by a county; amending
 s. 489.129, F.S.; providing that certain persons are
 not subject to discipline for performing a job without
 applicable permits and inspections if otherwise
 authorized by law; amending s. 553.79, F.S.; providing
 for expiration of certain building permits issued by a
 local government; providing prohibitions for
 inspection fees; prohibiting a local government from
 requiring building permits for certain projects;
 providing an exception; requiring certain contractors
 to maintain certain records for a specified time
 period; prohibiting local governments from requiring a
 building permit for the installation of temporary
 residential hurricane and flood protection walls or
 barriers that meet certain requirements; prohibiting
 local governments from requiring a building permit for
 the installation of certain retaining walls; amending
 s. 553.791, F.S.; revising and providing definitions;
 removing the requirement that a contract for certain
 services be in writing; providing that a contract for
 certain services does not need to be submitted as part
 of a permit application; providing requirements for

26 reduced permit fees; prohibiting a local jurisdiction
 27 from charging punitive administrative fees or fees for
 28 plans review services; requiring that certain
 29 documents be promptly provided to certain persons;
 30 prohibiting local governments and local building
 31 officials from requiring additional forms; requiring
 32 local enforcement agencies to create a specified
 33 registration system that must have a method to
 34 register and update registration information
 35 electronically; prohibiting local enforcement agencies
 36 from charging an administrative fee to register or
 37 update registration information; requiring private
 38 provider firms to register with the local enforcement
 39 agency, provide certain information, and update its
 40 registration within a specified timeframe after
 41 changes occur; prohibiting local enforcement agencies
 42 from altering a form adopted by the commission;
 43 removing the requirement that a private provider's
 44 qualification statements or resumes be included in a
 45 certain notice; removing time restrictions for
 46 electing to use a private provider; requiring local
 47 enforcement agencies to accept a certain affidavit
 48 electronically; providing which forms and documents a
 49 local building official may review; providing notice
 50 requirements; providing that certain permits are

51 deemed approved; providing that local enforcement
52 agencies are not responsible for the administration or
53 supervision of services performed by a private
54 provider; prohibiting local enforcement agencies from
55 requiring additional verification of certain
56 requirements beyond that which is required at
57 registration; revising the timeframe in which certain
58 records must be provided; prohibiting local building
59 officials from failing certain inspections;
60 authorizing certain persons to sign certificates of
61 compliance; providing requirements for local building
62 officials who have actual knowledge that a private
63 provider failed to perform an inspection; providing
64 that virtual inspections may not be prohibited;
65 requiring certain notice before an audit; prohibiting
66 certain entities from discouraging the use of private
67 providers; authorizing certain public entities to use
68 a private provider firm or to employ a licensed
69 building inspector to provide building code inspection
70 services; amending s. 553.792, F.S.; requiring a local
71 government to make certain decisions relating to
72 certain building permits within a specified timeframe;
73 amending s. 553.77, F.S.; requiring the Florida
74 Building Commission to develop uniform commercial and
75 residential building permit applications by a

76 specified date; amending s. 720.3035, F.S.;

77 prohibiting an association or certain committees from

78 requiring a building permit as a prerequisite for a

79 certain review; providing an effective date.

80

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

82

83 **Section 1. Paragraph (d) of subsection (4) of section**

84 **125.56, Florida Statutes, is amended to read:**

85 125.56 Enforcement and amendment of the Florida Building

86 Code and the Florida Fire Prevention Code; inspection fees;

87 inspectors; etc.—

88 (4)

89 (d) A county that issues building permits may send a

90 written notice of expiration, by e-mail or United States Postal

91 Service, to the owner of the property and the contractor listed

92 on the permit, no less than 30 days before a building permit is

93 set to expire. The written notice must identify the permit that

94 is set to expire and the date the permit will expire. A building

95 permit issued by a county for a single-family dwelling expires 1

96 year after the issuance of the permit or on the effective date

97 of the next edition of the Florida Building Code, whichever is

98 later.

99 **Section 2. Paragraph (o) of subsection (1) of section**

100 **489.129, Florida Statutes, is amended to read:**

101 489.129 Disciplinary proceedings.—
 102 (1) The board may take any of the following actions
 103 against any certificateholder or registrant: place on probation
 104 or reprimand the licensee, revoke, suspend, or deny the issuance
 105 or renewal of the certificate or registration, require financial
 106 restitution to a consumer for financial harm directly related to
 107 a violation of a provision of this part, impose an
 108 administrative fine not to exceed \$10,000 per violation, require
 109 continuing education, or assess costs associated with
 110 investigation and prosecution, if the contractor, financially
 111 responsible officer, or business organization for which the
 112 contractor is a primary qualifying agent, a financially
 113 responsible officer, or a secondary qualifying agent responsible
 114 under s. 489.1195 is found guilty of any of the following acts:
 115 (o) Proceeding on any job without obtaining applicable
 116 local building department permits and inspections, unless
 117 otherwise provided by law.
 118
 119 For the purposes of this subsection, construction is considered
 120 to be commenced when the contract is executed and the contractor
 121 has accepted funds from the customer or lender. A contractor
 122 does not commit a violation of this subsection when the
 123 contractor relies on a building code interpretation rendered by
 124 a building official or person authorized by s. 553.80 to enforce
 125 the building code, absent a finding of fraud or deceit in the

126 practice of contracting, or gross negligence, repeated
 127 negligence, or negligence resulting in a significant danger to
 128 life or property on the part of the building official, in a
 129 proceeding under chapter 120.

130 **Section 3. Paragraphs (a), (b), (c), and (f) of subsection**
 131 **(1) of section 553.79, Florida Statutes, are amended, and**
 132 **paragraphs (g), (h), and (i) are added to that subsection, to**
 133 **read:**

134 553.79 Permits; applications; issuance; inspections.—

135 (1) (a) Unless otherwise provided by law, after the
 136 effective date of the Florida Building Code adopted as herein
 137 provided, it shall be unlawful for any person, firm,
 138 corporation, or governmental entity to construct, erect, alter,
 139 modify, repair, or demolish any building within this state
 140 without first obtaining a permit therefor from the appropriate
 141 enforcing agency or from such persons as may, by appropriate
 142 resolution or regulation of the authorized state or local
 143 enforcing agency, be delegated authority to issue such permits,
 144 upon the payment of such reasonable fees adopted by the
 145 enforcing agency. The enforcing agency is empowered to revoke
 146 any such permit upon a determination by the agency that the
 147 construction, erection, alteration, modification, repair, or
 148 demolition of the building for which the permit was issued is in
 149 violation of, or not in conformity with, the provisions of the
 150 Florida Building Code. Whenever a permit required under this

151 section is denied or revoked because the plan, or the
 152 construction, erection, alteration, modification, repair, or
 153 demolition of a building, is found by the local enforcing agency
 154 to be not in compliance with the Florida Building Code, the
 155 local enforcing agency shall identify the specific plan or
 156 project features that do not comply with the applicable codes,
 157 identify the specific code chapters and sections upon which the
 158 finding is based, and provide this information to the permit
 159 applicant. A plans reviewer or building code administrator who
 160 is responsible for issuing a denial, revocation, or modification
 161 request but fails to provide to the permit applicant a reason
 162 for denying, revoking, or requesting a modification, based on
 163 compliance with the Florida Building Code or local ordinance, is
 164 subject to disciplinary action against his or her license
 165 pursuant to s. 468.621(1)(i). Installation, replacement,
 166 removal, or metering of any load management control device is
 167 exempt from and shall not be subject to the permit process and
 168 fees otherwise required by this section.

169 (b) A local enforcement agency shall post each type of
 170 building permit application, as adopted by the commission,
 171 including a list of all required attachments, drawings, or other
 172 requirements for each type of application, on its website. A
 173 local enforcement agency must post and update the status of
 174 every received application on its website until the issuance of
 175 the building permit. A local enforcement agency must allow

176 applicants to submit completed applications, including payments,
 177 attachments, drawings, or other requirements or parts of the
 178 ~~completed permit application, must be able to be submitted~~
 179 electronically to the appropriate building department. Accepted
 180 methods of electronic submission include, but are not limited
 181 to, e-mail submission of applications in Portable Document
 182 Format or submission of applications through an electronic fill-
 183 in form available on the building department's website or
 184 through a third-party submission management software. A building
 185 official, at his or her discretion, may accept completed
 186 applications, including payments, attachments, drawings, or
 187 other requirements or parts of the completed permit application,
 188 ~~may also be submitted in person in a nonelectronic format, at~~
 189 ~~the discretion of the building official.~~

190 (c) A local government that issues building permits may
 191 send a written notice of expiration, by e-mail or United States
 192 Postal Service, to the owner of the property and the contractor
 193 listed on the permit, no less than 30 days before a building
 194 permit is set to expire. The written notice must identify the
 195 permit that is set to expire and the date the permit will
 196 expire. A building permit issued by a local government for a
 197 single-family dwelling expires 1 year after the issuance of the
 198 permit or on the effective date of the next edition of the
 199 Florida Building Code, whichever is later.

200 (f) A local government may not require a contract between

201 a builder and an owner, any copies of such contract, or any
 202 associated document, including, but not limited to, letters of
 203 intent, material costs lists, labor costs, or overhead or profit
 204 statements, for the issuance of a building permit or as a
 205 requirement for the submission of a building permit application.
 206 Inspection fees may not be based on the total cost of a project
 207 and may not exceed the actual inspection costs incurred by the
 208 local enforcement agency.

209 (g)1. A local government that issues building permits may
 210 not require an owner of a single-family dwelling or the owner's
 211 contractor to obtain a building permit to perform any work that
 212 is valued at less than \$7,500 on the single-family dwelling's
 213 lot. However, a local government may require a building permit
 214 for any electrical, plumbing, or structural work, not including
 215 the repair or replacement of exterior doors or windows,
 216 performed on a lot containing a single-family dwelling
 217 regardless of the value of the work.

218 2. A contractor who performs work that does not require a
 219 building permit under this paragraph must maintain for at least
 220 5 years a written record of the work performed, the property
 221 address at which the work was performed, and the value of such
 222 work as proof that such work complies with subparagraph 1.

223 (h)1. A local government that issues building permits may
 224 not require an owner of a single-family dwelling or the owner's
 225 contractor to obtain a building permit for the installation of

226 temporary residential hurricane and flood protection walls or
 227 barriers that meet all of the following conditions:

228 a. The wall or barrier is nonhabitable and nonload-
 229 bearing.

230 b. The wall or barrier is installed on the residential
 231 property of a single-family or two-family dwelling or townhouse.

232 c. The wall or barrier is constructed to mitigate or
 233 prevent storm surge or floodwaters from entering a structure or
 234 property.

235 d. The wall or barrier is installed by a contractor
 236 licensed under part I of chapter 489.

237 e. The wall or barrier complies with applicable local
 238 zoning, drainage, easement, and setback requirements.

239 2. The commission may adopt rules under s. 120.54 to
 240 incorporate necessary standards to implement this paragraph.

241 (i) A local government that issues building permits may
 242 not require a building permit for each lot or parcel upon which
 243 a retaining wall is installed on the property of a single-family
 244 or two-family residential dwelling or a townhouse.

245 **Section 4. Section 553.791, Florida Statutes, is amended**
 246 **to read:**

247 553.791 Alternative plans review and inspection.—

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

249 (a) "Applicable codes" means the Florida Building Code and
 250 any local technical amendments to the Florida Building Code but

251 | does not include the applicable minimum fire prevention and
 252 | firesafety codes adopted pursuant to chapter 633.

253 | (b) "Audit" means the process to confirm that the building
 254 | code inspection services have been performed by the private
 255 | provider, including ensuring that the required affidavit for the
 256 | plan review has been properly completed and submitted with the
 257 | permit documents and that the minimum mandatory inspections
 258 | required under the building code have been performed and
 259 | properly recorded. The local building official may not replicate
 260 | the plan review or inspection being performed by the private
 261 | provider, unless expressly authorized by this section.

262 | (c) "Building" means any construction, erection,
 263 | alteration, demolition, or improvement of, or addition to, any
 264 | structure or site work for which permitting by a local
 265 | enforcement agency is required.

266 | (d) "Building code inspection services" means those
 267 | services described in s. 468.603(5) and (8) involving the review
 268 | of building plans as well as those services involving the review
 269 | of site plans and site work engineering plans or their
 270 | functional equivalent, to determine compliance with applicable
 271 | codes and those inspections required by law, conducted either in
 272 | person or virtually, of each phase of construction for which
 273 | permitting by a local enforcement agency is required to
 274 | determine compliance with applicable codes.

275 | (e) "Deliver" or "delivery" means any method of delivery

276 used in conventional business or commercial practice, including
277 delivery by electronic transmissions such as e-mail or
278 submission through an electronic fill-in form available on the
279 building department's website or through a third-party
280 submission management software.

281 (f) "Duly authorized representative" means an agent of the
282 private provider identified in the permit application who
283 reviews plans or performs inspections as provided by this
284 section and who is licensed as an engineer under chapter 471 or
285 as an architect under chapter 481 or who holds a standard or
286 provisional certificate under part XII of chapter 468. A duly
287 authorized representative who only holds a provisional
288 certificate under part XII of chapter 468 must be under the
289 direct supervision of a person licensed as a building code
290 administrator under part XII of chapter 468.

291 (g) "Electronic signature" means any letters, characters,
292 or symbols manifested by electronic or similar means which are
293 executed or adopted by a party with an intent to authenticate a
294 writing or record.

295 (h) "Electronic transmission" or "submitted
296 electronically" means any form or process of communication not
297 directly involving the physical transfer of paper or another
298 tangible medium which is suitable for the retention, retrieval,
299 and reproduction of information by the recipient and is
300 retrievable in paper form by the receipt through an automated

301 process. All notices, documents, and applications provided for
302 in this section may be transmitted electronically and shall have
303 the same legal effect as if physically posted or mailed.

304 (i) "Electronically posted" means providing notices of
305 decisions, results, or records, including inspection records,
306 through the use of a website or other form of electronic
307 communication used to transmit or display information.

308 (j) "Immediate threat to public safety and welfare" means
309 a building code violation that, if allowed to persist,
310 constitutes an immediate hazard that could result in death,
311 serious bodily injury, or significant property damage. This
312 paragraph does not limit the authority of the local building
313 official to issue a Notice of Corrective Action at any time
314 during the construction of a building project or any portion of
315 such project if the official determines that a condition of the
316 building or portion thereof may constitute a hazard when the
317 building is put into use following completion as long as the
318 condition cited is shown to be in violation of the building code
319 or approved plans.

320 (k) "Local building official" means the individual within
321 the governing jurisdiction responsible for direct regulatory
322 administration or supervision of plans review, enforcement, and
323 inspection of any construction, erection, alteration,
324 demolition, or substantial improvement of, or addition to, any
325 structure for which permitting is required to indicate

326 compliance with applicable codes and includes any duly
 327 authorized designee of such person.

328 (1) "Permit application" means a properly completed and
 329 submitted application for the requested building or construction
 330 permit, including:

331 1. The plans reviewed by the private provider, or in the
 332 case of a single-trade plans review where a private provider
 333 uses an automated or software-based plans review system pursuant
 334 to subsection (7) ~~(6)~~, the information reviewed by the automated
 335 or software-based plans review system to determine compliance
 336 with one or more applicable codes.

337 2. The affidavit from the private provider required under
 338 subsection (7) ~~(6)~~.

339 3. Any applicable fees.

340 4. Any documents required by the local building official
 341 to determine that the fee owner has secured all other government
 342 approvals required by law.

343 (m) "Plans" means building plans, site engineering plans,
 344 or site plans, or their functional equivalent, submitted by a
 345 fee owner or fee owner's contractor to a private provider or
 346 duly authorized representative for review.

347 (n) "Private provider" means a person licensed as a
 348 building code administrator under part XII of chapter 468, as an
 349 engineer under chapter 471, or as an architect under chapter
 350 481. For purposes of performing inspections under this section

351 for additions and alterations that are limited to 1,000 square
 352 feet or less to residential buildings, the term "private
 353 provider" also includes a person who holds a standard
 354 certificate under part XII of chapter 468.

355 (o) "Private provider firm" means a business organization,
 356 including a corporation, partnership, business trust, or other
 357 legal entity, which offers services under this chapter to the
 358 public through licensees who are acting as agents, employees,
 359 officers, or partners of the firm. A person who is licensed as a
 360 building code administrator under part XII of chapter 468, an
 361 engineer under chapter 471, or an architect under chapter 481
 362 may act as a private provider for an agent, employee, or officer
 363 of the private provider firm.

364 (p) "Registration" means the roster of authorized private
 365 provider firms held by each local enforcement agency.

366 (q) ~~(p)~~ "Request for certificate of occupancy or
 367 certificate of completion" means a properly completed and
 368 executed application for:

- 369 1. A certificate of occupancy or certificate of
 370 completion.
- 371 2. A certificate of compliance from the private provider
 372 required under subsection (15) ~~(13)~~.
- 373 3. Any applicable fees.
- 374 4. Any documents required by the local building official
 375 to determine that the fee owner has secured all other government

376 approvals required by law.

377 ~~(r)~~(q) "Single-trade inspection" or "single-trade plans
 378 review" means any inspection or plans review focused on a single
 379 construction trade, such as plumbing, mechanical, or electrical.
 380 The term includes, but is not limited to, inspections or plans
 381 reviews of door or window replacements; fences and block walls
 382 more than 6 feet high from the top of the wall to the bottom of
 383 the footing; stucco or plastering; reroofing with no structural
 384 alteration; solar energy and energy storage installations or
 385 alterations; HVAC replacements; ductwork or fan replacements;
 386 alteration or installation of wiring, lighting, and service
 387 panels; water heater changeouts; sink replacements; and
 388 repiping.

389 ~~(s)~~(r) "Site work" means the portion of a construction
 390 project that is not part of the building structure, including,
 391 but not limited to, grading, excavation, landscape irrigation,
 392 and installation of driveways.

393 ~~(t)~~(s) "Stop-work order" means the issuance of any written
 394 statement, written directive, or written order which states the
 395 reason for the order and the conditions under which the cited
 396 work will be permitted to resume.

397 (2) (a) Notwithstanding any other law or local government
 398 ordinance or local policy, the fee owner of a building or
 399 structure, or the fee owner's contractor upon written
 400 authorization from the fee owner, may choose to use a private

401 provider to provide plans review or building code inspection
402 services with regard to such building or structure and may make
403 payment directly to the private provider for the provision of
404 such services. All such services shall be the subject of a
405 ~~written~~ contract between the private provider, or the private
406 provider's firm, and the fee owner or the fee owner's
407 contractor, upon written authorization of the fee owner. The
408 local enforcement agency may not require the contract to be
409 provided as part of the permit application or as a condition for
410 issuing a permit. The fee owner may elect to use a private
411 provider to provide plans review or required building
412 inspections, or both. However, if the fee owner or the fee
413 owner's contractor uses a private provider to provide plans
414 review, the local building official, in his or her discretion
415 and pursuant to duly adopted policies of the local enforcement
416 agency, may require the fee owner or the fee owner's contractor
417 to use a private provider to also provide required building
418 inspections.

419 (b) If a fee ~~an~~ owner or the fee owner's contractor
420 retains a private provider for purposes of plans review or
421 building inspection services, the local jurisdiction must reduce
422 the permit fee by the amount of cost savings realized by the
423 local enforcement agency for not having to perform such
424 services. Such reduction may be calculated on a flat fee or
425 percentage basis, or any other reasonable means by which a local

426 enforcement agency assesses the cost for its plans review or
 427 inspection services. The permit fee must be based on the cost
 428 incurred by the local jurisdiction, including the labor cost of
 429 the personnel providing such services and the clerical and
 430 supervisory assistance required to comply with this section. The
 431 local jurisdiction may not charge fees for plans review or
 432 building inspections if the fee owner or the fee owner's
 433 contractor hires a private provider to perform such services.
 434 The local enforcement agency may not charge punitive
 435 administrative fees when a fee owner has chosen to work with a
 436 private provider; however, the local jurisdiction may charge a
 437 reasonable administrative fee, which shall be based on the cost
 438 that is actually incurred, including the labor cost of the
 439 personnel providing the service, by the local jurisdiction or
 440 attributable to the local jurisdiction for the clerical and
 441 supervisory assistance required, or both.

442 (c) If a fee ~~an~~ owner or the fee owner's a contractor
 443 retains a private provider for purposes of plans review or
 444 building inspection services, the local jurisdiction must
 445 provide equal access to all permitting and inspection documents
 446 and reports to the private provider, owner, and contractor if
 447 such access is provided by software that protects exempt records
 448 from disclosure. Access to these documents must be promptly
 449 provided.

450 (d) A local government or local building official may not

451 require additional forms beyond those required at registration,
 452 except for the written notice required under subsection (5), if
 453 a fee owner or the fee owner's contractor uses a private
 454 provider.

455 (3) A private provider and any duly authorized
 456 representative may only perform building code inspection
 457 services that are within the disciplines covered by that
 458 person's licensure or certification under chapter 468, chapter
 459 471, or chapter 481, including single-trade inspections. A
 460 private provider may not provide building code inspection
 461 services pursuant to this section upon any building designed or
 462 constructed by the private provider or the private provider's
 463 firm.

464 (4) A local enforcement agency must create a registration
 465 system for private providers and private provider firms working
 466 in the local enforcement agency's jurisdiction. A local
 467 enforcement agency must have a method to register and update
 468 registration information electronically. The local enforcement
 469 agency may not charge an administrative fee for registration or
 470 updates to a registration. The private provider or private
 471 provider firm must provide its contact information and verify
 472 compliance with the licensure requirements of paragraph (1)(n)
 473 or paragraph (1)(o), as applicable, and the insurance
 474 requirements of subsection (20). The private provider or private
 475 provider firm must register with the local enforcement agency in

476 the jurisdiction in which the provider or firm is working before
 477 contracting to provide services in such jurisdiction. The
 478 private provider or private provider firm must update its
 479 registration within 5 business days after any change to the
 480 provider's or firm's contact information, licensure, or
 481 insurance coverage.

482 (5)~~(4)~~ A fee owner or the fee owner's contractor using a
 483 private provider to provide building code inspection services
 484 shall notify the local building official in writing at the time
 485 of permit application, or by 2 p.m. local time, 2 business days
 486 before the first scheduled inspection by the local building
 487 official or building code enforcement agency that a private
 488 provider has been contracted to perform the required inspections
 489 of construction under this section, including single-trade
 490 inspections, on a form ~~to be~~ adopted by the commission. The
 491 local enforcement agency may not alter the form. This notice
 492 must ~~shall~~ include the following information:

- 493 (a) The services to be performed by the private provider.
- 494 (b) The name, firm, address, telephone number, and e-mail
 495 address of each private provider who is performing or will
 496 perform such services, his or her professional license or
 497 certification number, ~~qualification statements or resumes,~~ and,
 498 if required by the local building official, a certificate of
 499 insurance demonstrating that professional liability insurance
 500 coverage is in place for the private provider's firm, the

501 private provider, and any duly authorized representative in the
 502 amounts required by this section.

503 (c) An acknowledgment from the fee owner or the fee
 504 owner's contractor in substantially the following form:

505
 506 I have elected to use one or more private providers to
 507 provide building code plans review and/or inspection
 508 services on the building or structure that is the
 509 subject of the enclosed permit application, as
 510 authorized by s. 553.791, Florida Statutes. I
 511 understand that the local building official may not
 512 review the plans submitted or perform the required
 513 building inspections to determine compliance with the
 514 applicable codes, except to the extent specified in
 515 said law. Instead, plans review and/or required
 516 building inspections will be performed by licensed or
 517 certified personnel identified in the application. The
 518 law requires minimum insurance requirements for such
 519 personnel, but I understand that I may require more
 520 insurance to protect my interests. By executing this
 521 form, I acknowledge that I have made inquiry regarding
 522 the competence of the licensed or certified personnel
 523 and the level of their insurance and am satisfied that
 524 my interests are adequately protected. I agree to
 525 indemnify, defend, and hold harmless the local

526 government, the local building official, and their
 527 building code enforcement personnel from any and all
 528 claims arising from my use of these licensed or
 529 certified personnel to perform building code
 530 inspection services with respect to the building or
 531 structure that is the subject of the enclosed permit
 532 application.

533
 534 If the fee owner or the fee owner's contractor makes any changes
 535 to the listed private providers or the services to be provided
 536 by those private providers, the fee owner or the fee owner's
 537 contractor shall, within 1 business day after any change or
 538 within 2 business days before the next scheduled inspection,
 539 update the notice to reflect such changes. A change of a duly
 540 authorized representative named in the permit application does
 541 not require a revision of the permit, and the building code
 542 enforcement agency shall not charge a fee for making the change.

543 (6)-(5) After construction has commenced ~~and if either the~~
 544 ~~local building official is unable to provide inspection services~~
 545 ~~in a timely manner or the work subject to inspection is related~~
 546 ~~to a single-trade inspection for a single-family or two-family~~
 547 ~~dwelling~~, the fee owner or the fee owner's contractor may elect
 548 to use a private provider to provide inspection services for a
 549 single-trade inspection for a single-family or two-family
 550 dwelling by notifying the local building official of the owner's

551 or contractor's intention to do so by ~~2 p.m. local time, 2~~
 552 ~~business days~~ before the next scheduled inspection using the
 553 notice provided for in paragraphs (5) (a) - (c) ~~(4) (a) - (e)~~.

554 ~~(7) (6)~~ A private provider performing plans review under
 555 this section shall review the plans to determine compliance with
 556 the applicable codes. For single-trade plans reviews, a private
 557 provider may use an automated or software-based plans review
 558 system designed to determine compliance with one or more
 559 applicable codes, including, but not limited to, the National
 560 Electrical Code and the Florida Building Code. Upon determining
 561 that the plans reviewed comply with the applicable codes, the
 562 private provider shall prepare an affidavit or affidavits
 563 certifying, under oath, that the following is true and correct
 564 to the best of the private provider's knowledge and belief:

565 (a) The plans were reviewed by the affiant, who is duly
 566 authorized to perform plans review pursuant to this section and
 567 holds the appropriate license or certificate.

568 (b) The plans comply with the applicable codes.

569
 570 Such affidavit may bear a written or electronic signature and
 571 may be submitted electronically to the local building official.
 572 A local enforcement agency must accept electronically submitted
 573 affidavits.

574 (8) (a) The local building official may not review plans,
 575 construction drawings, or any other related documents determined

576 by a private provider to be compliant with the applicable codes.

577 (b) The local building official may review other forms and
 578 documents required under this section for completeness only. The
 579 local building official must provide written notice to a permit
 580 applicant of any incomplete forms or documents required under
 581 this section no later than 10 days after receipt of a permit
 582 application and an affidavit from the private provider as
 583 required in subsection (7). The written notice must state with
 584 specificity which forms or documents are incomplete.

585 ~~(7)(a) No more than 20 business days, or if the permit~~
 586 ~~application is related to a single-trade plans review for a~~
 587 ~~single-family or two-family dwelling, no more than 5 business~~
 588 ~~days, after receipt of a permit application and the affidavit~~
 589 ~~from the private provider required pursuant to subsection (6),~~
 590 ~~the local building official shall issue the requested permit or~~
 591 ~~provide a written notice to the permit applicant identifying the~~
 592 ~~specific plan features that do not comply with the applicable~~
 593 ~~codes, as well as the specific code chapters and sections. If~~
 594 ~~the local building official does not provide such a written~~
 595 ~~notice of the plan deficiencies within 10 days the prescribed~~
 596 ~~time period, the permit application must be deemed approved as a~~
 597 ~~matter of law, and the permit must be issued by the local~~
 598 ~~building official on the next business day.~~

599 (c) (b) If the local building official provides a written
 600 notice of plan deficiencies to the permit applicant of any

601 incomplete forms or documents required under this section at the
 602 time of plan submission within the 10-day prescribed time
 603 period, such ~~the~~ time period is tolled pending resolution of the
 604 matter. To resolve the issues raised in the notice plan
 605 deficiencies, the permit applicant may elect to dispute the
 606 issues deficiencies pursuant to subsection (17) ~~(15)~~ or to
 607 submit revisions to correct the issues deficiencies.

608 ~~(d)(e)~~ If the permit applicant submits revisions, the
 609 local building official has the remainder of the tolled 10-day
 610 time period plus 5 business days ~~after the date of resubmittal~~
 611 to issue the requested permit or to provide a second written
 612 notice to the permit applicant stating which of the previously
 613 identified forms or documents plan features remain incomplete in
 614 ~~noncompliance with the applicable codes, with specific reference~~
 615 ~~to the relevant code chapters and sections~~. Any subsequent
 616 review by the local building official is limited to the issues
 617 deficiencies cited in the original written notice. If the local
 618 building official does not provide the second written notice
 619 within the prescribed time period, the permit must be deemed
 620 approved as a matter of law, and the local building official
 621 must issue the permit on the next business day.

622 ~~(e)(d)~~ If the local building official provides a second
 623 written notice ~~of plan deficiencies~~ to the permit applicant
 624 within the prescribed time period, the permit applicant may
 625 elect to dispute the issues raised in the second notice

626 ~~deficiencies~~ pursuant to subsection (17) ~~(15)~~ or to submit
 627 additional revisions to correct the issues ~~deficiencies~~. For all
 628 revisions submitted after the first revision, the local building
 629 official has an additional 5 business days ~~after the date of~~
 630 ~~resubmittal~~ to issue the requested permit or to provide a
 631 written notice to the permit applicant stating which of the
 632 previously identified forms or documents ~~plan features~~ remain
 633 incomplete. If the local building official does not provide the
 634 notice within the prescribed time period, the permit shall be
 635 deemed approved as a matter of law, and the local building
 636 official must issue the permit on the next business day in
 637 ~~noncompliance with the applicable codes, with specific reference~~
 638 ~~to the relevant code chapters and sections.~~

639 (9) ~~(8)~~ A private provider performing required inspections
 640 under this section shall inspect each phase of construction as
 641 required by the applicable codes. Such inspection, including a
 642 single-trade inspection, may be performed in person or
 643 virtually. The private provider may have a duly authorized
 644 representative perform the required inspections, provided all
 645 required reports are prepared by and bear the written or
 646 electronic signature of the private provider or the private
 647 provider's duly authorized representative. The duly authorized
 648 representative must be an employee of the private provider
 649 entitled to receive reemployment assistance benefits under
 650 chapter 443. The contractor's contractual or legal obligations

651 are not relieved by any action of the private provider.

652 ~~(10)(9) A private provider performing required inspections~~
 653 ~~under this section shall provide notice to the local building~~
 654 ~~official of the approximate date and time of any such~~
 655 ~~inspection.~~ The local building official may not prohibit the
 656 private provider from performing any inspection outside the
 657 local building official's normal operating hours, including
 658 after hours, weekends, or holidays. ~~The local building official~~
 659 ~~may visit the building site as often as necessary to verify that~~
 660 ~~the private provider is performing all required inspections.~~ A
 661 deficiency notice must be posted by the private provider, the
 662 duly authorized representative of the private provider, or the
 663 building department whenever a noncomplying item related to the
 664 building code or the permitted documents is found. Such notice
 665 may be physically posted at the job site or electronically
 666 posted. After corrections are made, the item must be reinspected
 667 by the private provider or the representative of the private
 668 provider before being concealed. ~~Reinspection or reaudit fees~~
 669 ~~shall not be charged by~~ The local jurisdiction may not charge
 670 reinspection or reaudit fees as a result of the local
 671 jurisdiction's audit inspection occurring before the performance
 672 of the private provider's inspection or for any other
 673 administrative matter not involving the detection of a violation
 674 of the building code or a permit requirement.

675 (11) A local enforcement agency is not responsible for the

676 regulatory administration or supervision of building code
 677 inspection services performed by a private provider hired by a
 678 fee owner or the fee owner's contractor. A local enforcement
 679 agency may not require additional verification of licensure or
 680 insurance requirements beyond that which is required at
 681 registration.

682 (12)~~(10)~~ If the private provider is a person licensed as
 683 an engineer under chapter 471 or an architect under chapter 481
 684 and affixes his or her professional seal to the affidavit
 685 required under subsection (7) ~~(6)~~, the local building official
 686 must issue the requested permit or provide a written notice to
 687 the permit applicant identifying the specific plan features that
 688 do not comply with the applicable codes, as well as the specific
 689 code chapters and sections, within 10 business days after
 690 receipt of the permit application and affidavit. In such written
 691 notice, the local building official must provide with
 692 specificity the plan's deficiencies, the reasons the permit
 693 application failed, and the applicable codes being violated. If
 694 the local building official does not provide specific written
 695 notice to the permit applicant within the prescribed 10-day
 696 period, the permit application is deemed approved as a matter of
 697 law, and the local building official must issue the permit on
 698 the next business day.

699 (13)~~(11)~~ If equipment replacements and repairs must be
 700 performed in an emergency situation, subject to the emergency

701 permitting provisions of the Florida Building Code, a private
 702 provider may perform emergency inspection services without first
 703 notifying the local building official ~~pursuant to subsection~~
 704 ~~(9)~~. A private provider must conduct the inspection within 3
 705 business days after being contacted to conduct an emergency
 706 inspection and must submit the inspection report to the local
 707 building official within 1 day after the inspection is
 708 completed.

709 (14)~~(12)~~ Upon completing the required inspections at each
 710 applicable phase of construction, the private provider shall
 711 record such inspections on a form provided by the commission
 712 ~~acceptable to the local building official~~. The form must bear
 713 the written or electronic signature of the private provider or
 714 the private provider's duly authorized representative. These
 715 inspection records must ~~shall~~ reflect those inspections required
 716 by the applicable codes of each phase of construction for which
 717 permitting by a local enforcement agency is required. The
 718 private provider, upon completion of the required inspection,
 719 shall post each completed inspection record, indicating pass or
 720 fail, and provide the record to the local building official
 721 within 4 ~~2~~ business days. Such inspection record may be
 722 electronically posted by the private provider, or the private
 723 provider may post such inspection record physically at the
 724 project site. The private provider may electronically transmit
 725 the record to the local building official. The local building

726 official may waive the requirement to provide a record of each
 727 inspection within 4 ~~2~~ business days if the record is
 728 electronically posted or posted at the project site and all such
 729 inspection records are submitted with the certificate of
 730 compliance. Unless the records have been electronically posted
 731 and transmitted, records of all required and completed
 732 inspections shall be maintained at the building site at all
 733 times and made available for review by the local building
 734 official. A local building official may not fail any inspection
 735 performed by a private provider for not having the inspection
 736 records at the job site if the inspection records have been
 737 electronically transmitted to the local building official within
 738 the 4-business-day requirement. The private provider shall
 739 report to the local enforcement agency any condition that poses
 740 an immediate threat to public safety and welfare.

741 ~~(15)-(13)~~ Upon completion of all required inspections, the
 742 private provider firm shall prepare a certificate of compliance,
 743 on a form provided by the commission ~~acceptable to the local~~
 744 ~~building official~~, summarizing the inspections performed and
 745 including a written representation, under oath, that the stated
 746 inspections have been performed and that, to the best of the
 747 private provider's knowledge and belief, the building
 748 construction inspected complies with the approved plans and
 749 applicable codes. The certificate of compliance may be signed by
 750 any qualified licensed individual employed full time by the

751 private provider firm under whose authority the inspection was
 752 completed. The statement required of the private provider shall
 753 be substantially in the following form and shall be signed and
 754 sealed by a private provider as established in subsection (1) or
 755 may be electronically transmitted to the local building
 756 official:

757

758 To the best of my knowledge and belief, the building
 759 components and site improvements outlined herein and
 760 inspected under my authority have been completed in
 761 conformance with the approved plans and the applicable
 762 codes.

763

764 (16) (a) ~~(14) (a)~~ The local building official may only
 765 perform building inspections of construction that a private
 766 provider has determined to be compliant with the applicable
 767 codes if the local building official has actual knowledge that
 768 the private provider did not perform the required inspections.
 769 If the local building official has such knowledge, the local
 770 building official must provide to the private provider written
 771 notice of the facts and circumstances upon which the local
 772 building official relied for such actual knowledge before
 773 performing a required inspection. The local building official
 774 may review forms and documents required under this section for
 775 completeness only. No more than 10 business days, or if the

776 permit is related to single-family or two-family dwellings then
 777 no more than 2 business days, after receipt of a request for a
 778 certificate of occupancy or certificate of completion and the
 779 applicant's presentation of a certificate of compliance and
 780 approval of all other government approvals required by law,
 781 including the payment of all outstanding fees, the local
 782 building official shall issue the certificate of occupancy or
 783 certificate of completion or provide a notice to the applicant
 784 of any incomplete forms or documents required under this section
 785 ~~identifying the specific deficiencies, as well as the specific~~
 786 ~~code chapters and sections.~~

787 (b) If the local building official does not provide notice
 788 of any incomplete forms or documents ~~the deficiencies~~ within the
 789 applicable time periods under paragraph (a), the request for a
 790 certificate of occupancy or certificate of completion is
 791 automatically granted and deemed issued as of the next business
 792 day. The local building official must provide the applicant with
 793 the written certificate of occupancy or certificate of
 794 completion within 10 days after it is automatically granted and
 795 issued. To resolve any identified issues ~~deficiencies~~, the
 796 applicant may elect to dispute the issues ~~deficiencies~~ pursuant
 797 to subsection (17) ~~(15)~~ or to submit a corrected request for a
 798 certificate of occupancy or certificate of completion.

799 (17) ~~(15)~~ If the local building official determines that
 800 the building construction or plans do not comply with the

801 applicable codes, the official may deny the permit or request
802 for a certificate of occupancy or certificate of completion, as
803 appropriate, or may issue a stop-work order for the project or
804 any portion thereof as provided by law, if the official
805 determines that the noncompliance poses an immediate threat to
806 public safety and welfare, subject to the following:

807 (a) The local building official shall be available to meet
808 with the private provider within 2 business days to resolve any
809 dispute after issuing a stop-work order or providing notice to
810 the applicant denying a permit or request for a certificate of
811 occupancy or certificate of completion.

812 (b) If the local building official and private provider
813 are unable to resolve the dispute, the matter shall be referred
814 to the local enforcement agency's board of appeals, if one
815 exists, which shall consider the matter at its next scheduled
816 meeting or sooner. Any decisions by the local enforcement
817 agency's board of appeals, or local building official if there
818 is no board of appeals, may be appealed to the commission as
819 provided by this chapter.

820 (c) Notwithstanding any provision of this section, any
821 decisions regarding the issuance of a building permit,
822 certificate of occupancy, or certificate of completion may be
823 reviewed by the local enforcement agency's board of appeals, if
824 one exists. Any decision by the local enforcement agency's board
825 of appeals, or local building official if there is no board of

826 appeals, may be appealed to the commission as provided by this
 827 chapter, which shall consider the matter at the commission's
 828 next scheduled meeting.

829 (18)~~(16)~~ For the purposes of this section, any notice to
 830 be provided by the local building official shall be deemed to be
 831 provided to the person or entity when successfully transmitted
 832 to the e-mail address listed for that person or entity in the
 833 permit application or revised permit application, or, if no e-
 834 mail address is stated, when actually received by that person or
 835 entity.

836 (19) (a)~~(17) (a)~~ A local enforcement agency, local building
 837 official, or local government may not adopt or enforce any laws,
 838 rules, procedures, policies, qualifications, or standards more
 839 stringent than those prescribed by this section.

840 ~~(b) A local enforcement agency, local building official,~~
 841 ~~or local government may establish, for private providers,~~
 842 ~~private provider firms, and duly authorized representatives~~
 843 ~~working within that jurisdiction, a system of registration to~~
 844 ~~verify compliance with the licensure requirements of paragraph~~
 845 ~~(1)(n) and the insurance requirements of subsection (18).~~

846 (b) (e) This section does not limit the authority of the
 847 local building official to issue a stop-work order for a
 848 building project or any portion of the project, as provided by
 849 law, if the official determines that a condition on the building
 850 site constitutes an immediate threat to public safety and

851 welfare.

852 (c) A local enforcement agency may not prohibit or limit
 853 private providers from using virtual inspections if a virtual
 854 inspection is not prohibited by any applicable code.

855 (20)(18) A private provider may perform building code
 856 inspection services on a building project under this section
 857 only if the private provider maintains insurance for
 858 professional liability covering all services performed as a
 859 private provider. Such insurance shall have minimum policy
 860 limits of \$1 million per occurrence and \$2 million in the
 861 aggregate for any project with a construction cost of \$5 million
 862 or less and \$2 million per occurrence and \$4 million in the
 863 aggregate for any project with a construction cost of over \$5
 864 million. Nothing in this section limits the ability of a fee
 865 owner to require additional insurance or higher policy limits.
 866 For these purposes, the term "construction cost" means the total
 867 cost of building construction as stated in the building permit
 868 application. If the private provider chooses to secure claims-
 869 made coverage to fulfill this requirement, the private provider
 870 must also maintain coverage for a minimum of 5 years after
 871 ~~subsequent to~~ the performance of building code inspection
 872 services. The insurance required under this subsection shall be
 873 written only by insurers authorized to do business in this state
 874 with a minimum A.M. Best's rating of A. Before providing
 875 building code inspection services within a local building

876 official's jurisdiction, a private provider must provide to the
 877 local building official a certificate of insurance evidencing
 878 that the coverages required under this subsection are in force.

879 (21)~~(19)~~ When performing building code inspection
 880 services, a private provider is subject to the disciplinary
 881 guidelines of the applicable professional board with
 882 jurisdiction over his or her license or certification under
 883 chapter 468, chapter 471, or chapter 481. All private providers
 884 shall be subject to the disciplinary guidelines of s.
 885 468.621(1)(c)-(h). Any complaint processing, investigation, and
 886 discipline that arise out of a private provider's performance of
 887 building code inspection services shall be conducted by the
 888 applicable professional board.

889 (22)~~(20)~~ A local building code enforcement agency may not
 890 audit the performance of building code inspection services by
 891 private providers operating within the local jurisdiction until
 892 the agency has created standard operating private provider audit
 893 procedures for the agency's internal inspection and review
 894 staff, which includes, at a minimum, the private provider audit
 895 purpose and scope, private provider audit criteria, an
 896 explanation of private provider audit processes and objections,
 897 and detailed findings of areas of noncompliance. Such private
 898 provider audit procedures must be publicly available online, and
 899 a printed version must be readily accessible in agency
 900 buildings. The private provider audit results of staff for the

901 prior two quarters also must be publicly available. The agency's
 902 audit processes must adhere to the agency's posted standard
 903 operating audit procedures. The same private provider or private
 904 provider firm may not be audited more than four times in a year
 905 unless the local building official determines a condition of a
 906 building constitutes an immediate threat to public safety and
 907 welfare, which must be communicated in writing to the private
 908 provider or private provider firm. The private provider or
 909 private provider firm must be given notice of each audit to be
 910 performed at least 5 business days before the audit. Work on a
 911 building or structure may proceed after inspection and approval
 912 by a private provider. The work may not be delayed for
 913 completion of an inspection audit by the local building code
 914 enforcement agency.

915 (23)-(21) The local government, ~~the~~ local building
 916 official, and ~~their~~ building code enforcement personnel shall be
 917 immune from liability to any person or party for any action or
 918 inaction by a fee owner of a building, or by a private provider
 919 or its duly authorized representative, in connection with
 920 building code inspection services as authorized in this act. The
 921 local government, local enforcement agency, local building
 922 official, and building code enforcement personnel may not
 923 prohibit or discourage the use of a private provider or a
 924 private provider firm.

925 (24)-(22) Notwithstanding any other law, a county, a

926 municipality, a school district, or an independent special
 927 district may use a private provider or a private provider firm,
 928 or may employ a licensed building inspector as described in s.
 929 468.603(5) (a) or a person who holds the same licensure or
 930 certification as a private provider, to provide building code
 931 inspection services for a public works project, an improvement,
 932 a building, or any other structure that is owned by the county,
 933 municipality, school district, or independent special district.

934 **Section 5. Paragraph (a) of subsection (1) of section**
 935 **553.792, Florida Statutes, is amended to read:**

936 553.792 Building permit application to local government.—

937 (1) (a) A local government must approve, approve with
 938 conditions, or deny a building permit application after receipt
 939 of a completed and sufficient application within the following
 940 timeframes, unless the applicant waives such timeframes in
 941 writing:

942 1. Within 5 business days after receiving a complete and
 943 sufficient application, for an applicant using a local
 944 government plans reviewer to obtain the following building
 945 permits for an existing single-family residential dwelling if
 946 the value of the work is less than \$15,000: structural,
 947 accessory structure, alarm, electrical, irrigation, landscaping,
 948 mechanical, plumbing, or roofing.

949 ~~2.1.~~ Within 30 business days after receiving a complete
 950 and sufficient application, for an applicant using a local

951 | government plans reviewer to obtain the following building
 952 | permits if the structure is less than 7,500 square feet:
 953 | residential units, including a single-family residential unit or
 954 | a single-family residential dwelling, accessory structure,
 955 | alarm, electrical, irrigation, landscaping, mechanical,
 956 | plumbing, or roofing.

957 | ~~3.2.~~ Within 60 business days after receiving a complete
 958 | and sufficient application, for an applicant using a local
 959 | government plans reviewer to obtain the following building
 960 | permits if the structure is 7,500 square feet or more:
 961 | residential units, including a single-family residential unit or
 962 | a single-family residential dwelling, accessory structure,
 963 | alarm, electrical, irrigation, landscaping, mechanical,
 964 | plumbing, or roofing.

965 | ~~4.3.~~ Within 60 business days after receiving a complete
 966 | and sufficient application, for an applicant using a local
 967 | government plans reviewer to obtain the following building
 968 | permits: signs or nonresidential buildings that are less than
 969 | 25,000 square feet.

970 | ~~5.4.~~ Within 60 business days after receiving a complete
 971 | and sufficient application, for an applicant using a local
 972 | government plans reviewer to obtain the following building
 973 | permits: multifamily residential, not exceeding 50 units; site-
 974 | plan approvals and subdivision plats not requiring public
 975 | hearing or public notice; and lot grading and site alteration.

976 ~~6.5-~~ Within 12 business days after receiving a complete
 977 and sufficient application, for an applicant using a master
 978 building permit consistent with s. 553.794 to obtain a site-
 979 specific building permit.

980 ~~7.6-~~ Within 10 business days after receiving a complete
 981 and sufficient application, for an applicant for a single-family
 982 residential dwelling applied for by a contractor licensed in
 983 this state on behalf of a property owner who participates in a
 984 Community Development Block Grant-Disaster Recovery program
 985 administered by the Department of Commerce, unless the permit
 986 application fails to satisfy the Florida Building Code or the
 987 enforcing agency's laws or ordinances.

988

989 However, the local government may not require the waiver of the
 990 timeframes in this section as a condition precedent to reviewing
 991 an applicant's building permit application.

992 **Section 6. Paragraphs (b) through (m) of subsection (1) of**
 993 **section 553.77, Florida Statutes, are redesignated as paragraphs**
 994 **(c) through (n), respectively, present paragraph (c) of that**
 995 **subsection is amended, and a new paragraph (b) is added to that**
 996 **subsection, to read:**

997 553.77 Specific powers of the commission.—

998 (1) The commission shall:

999 (b) By July 1, 2027, adopt by rule a uniform commercial
 1000 building permit application to be used statewide for commercial

1001 construction projects and a uniform residential building permit
 1002 application to be used statewide for residential construction
 1003 projects.

1004 ~~(d)(e)~~ Upon written application by any substantially
 1005 affected person or a local enforcement agency, issue declaratory
 1006 statements pursuant to s. 120.565 relating to new technologies,
 1007 techniques, and materials which have been tested where necessary
 1008 and found to meet the objectives of the Florida Building Code.
 1009 This paragraph does not apply to the types of products,
 1010 materials, devices, or methods of construction required to be
 1011 approved under paragraph (g) ~~(f)~~.

1012 **Section 7. Paragraph (c) is added to subsection (1) of**
 1013 **section 720.3035, Florida Statutes, to read:**

1014 720.3035 Architectural control covenants; parcel owner
 1015 improvements; rights and privileges.—

1016 (1)

1017 (c) An association or any architectural, construction
 1018 improvement, or other such similar committee of an association
 1019 may not require a building permit to be issued by a governmental
 1020 authority to a parcel owner as a prerequisite for review by the
 1021 association or committee concerning the construction of
 1022 structures or improvements on the parcel.

1023 **Section 8.** This act shall take effect July 1, 2026.