

1                   A bill to be entitled  
2           An act relating to private provider building  
3           inspection services; amending s. 468.605, F.S.;  
4           requiring that the Florida Building Code  
5           Administrators and Inspectors Board include a  
6           specified number of members who are private providers  
7           or who are employed by private provider firms;  
8           amending s. 553.74, F.S.; requiring that the Florida  
9           Building Commission include a specified number of  
10          members who are private providers or who are employed  
11          by private provider firms and a specified number of  
12          members who are licensed contractors that use private  
13          providers or private provider firms; encouraging the  
14          Private Provider Association of Florida to recommend a  
15          list of candidates for consideration; amending s.  
16          553.791, F.S.; revising and defining terms; requiring  
17          that building code inspection services provided by a  
18          private provider be the subject of an agreement,  
19          rather than a written contract, between the provider  
20          or provider's firm and the fee owner or fee owner's  
21          contractor; requiring that a reduced permit fee not  
22          exceed certain costs incurred by the local  
23          jurisdiction; prohibiting a local jurisdiction from  
24          charging additional fees, including an administrative  
25          fee, for building inspections if the fee owner or

26 contractor hires a private provider to perform such  
27 services; requiring a local jurisdiction to  
28 immediately provide certain persons equal access to  
29 all permitting and inspection documents and reports  
30 under certain circumstances; revising the information  
31 a fee owner or a fee owner's contractor must provide  
32 to a local building official; revising conditions  
33 under which a fee owner or fee owner's contractor is  
34 authorized to use a private provider to provide  
35 inspection services; revising the timeframe within  
36 which a fee owner or a fee owner's contractor must  
37 notify the local building official of the owner's or  
38 contractor's intention to use a private provider;  
39 prohibiting a local building official from performing  
40 specified reviews of plans, drawings, or other related  
41 documents determined by a private provider to be in  
42 compliance with applicable codes; removing a provision  
43 requiring a local building official to issue a  
44 requested permit or provide a specified notice within  
45 a certain timeframe; authorizing a local building  
46 official to review certain forms and documents only  
47 for completeness; requiring a local building official  
48 to send written notice of incomplete forms or  
49 documents within a specified timeframe; requiring the  
50 local building official to issue a permit by the next

51 business day if the local building official fails to  
52 provide a specified notice within a specified  
53 timeframe; requiring that a duly authorized  
54 representative be managed, rather than employed, by a  
55 private provider to receive specified benefits;  
56 removing a requirement that a private provider  
57 performing required inspections provide notice to the  
58 local building official of the approximate date and  
59 time of specified inspections; removing a provision  
60 prohibiting a local building official from preventing  
61 a private provider from performing any inspection  
62 outside a certain timeframe; removing a provision  
63 authorizing a local building official to visit a  
64 building site as often as necessary to verify that a  
65 private provider is performing required inspections;  
66 removing a provision authorizing a building department  
67 to satisfy a requirement that a certain deficiency  
68 notice be posted; revising the reinspection fees that  
69 a local jurisdiction is prohibited from charging;  
70 prohibiting a local building official from visiting a  
71 job site without written approval from the private  
72 provider doing the work on the site; providing that a  
73 local building official is not responsible for the  
74 regulatory administration or supervision of building  
75 code inspection services performed by a private

76 provider; providing that certain private providers or  
77 private provider firms are vested with the authority  
78 of, and must serve as, the local building official  
79 with respect to certain inspection services;  
80 prohibiting a local building official from interfering  
81 with the actions or activities of such private  
82 providers or private provider firms; providing that  
83 verification of certain licensure and insurance  
84 requirements is the responsibility of the private  
85 provider firm and that a local building official is  
86 not required to verify compliance or store information  
87 of such verification; removing a requirement that the  
88 local building official, under certain circumstances,  
89 issue a permit within a specified timeframe; revising  
90 a provision authorizing a private provider to perform  
91 emergency inspection services; requiring a private  
92 provider to record specified inspections on forms  
93 provided by the Florida Building Commission, rather  
94 than on forms acceptable to the local building  
95 official; revising timeframes within which a private  
96 provider must provide an inspection record to the  
97 local building official and when the local building  
98 official may waive such requirement; providing that a  
99 private provider is not required to upload notices or  
100 inspection results to a website or portal; requiring a

101 private provider to prepare a certificate of  
102 compliance on a form provided by the commission,  
103 rather than on a form acceptable to the local building  
104 official; prohibiting a local building official from  
105 performing building inspections of construction that a  
106 private provider has determined to be compliant with  
107 applicable codes; authorizing a local building  
108 official to review specified forms and documents only  
109 for completeness; revising the timeframe within which  
110 a local building official must provide an applicant  
111 with a written certificate of occupancy or certificate  
112 of completion; authorizing a local building official  
113 to deny a permit or a request for specified  
114 certificates if required forms or documents are  
115 incomplete; providing that a system of registration is  
116 not required for certain duly authorized  
117 representatives; revising the authority of a local  
118 building official to issue a stop-work order;  
119 prohibiting a local building code enforcement agency  
120 to perform certain audits until such agency has  
121 created standard operating procedures; removing an  
122 exception to the limit on the number of times in a  
123 year that a private provider or private provider firm  
124 may be audited; requiring that a private provider or  
125 private provider firm be given notice within a

126 specified timeframe before being audited; prohibiting  
127 local governments, officials, and personnel from  
128 prohibiting or discouraging the use of a private  
129 provider or a private provider firm; providing that  
130 local governments, officials, and personnel are not  
131 immune from certain liability; authorizing a civil  
132 cause of action for certain damages, relief, and  
133 remedies; authorizing certain private providers to  
134 serve as the local building official and issue  
135 building permits; requiring that all information from  
136 a private provider be provided to the property  
137 appraiser for the county or the jurisdiction;  
138 requiring that drawings be delivered in their original  
139 electronic format; requiring that permits be publicly  
140 available and that their status be available on the  
141 Private Provider Association of Florida website for  
142 specified purposes; authorizing the Private Provider  
143 Association of Florida, or a similar nonprofit  
144 association, to require a fee or subscription to  
145 upload such information to its website or to use an  
146 applications programming interface; requiring a  
147 private provider to update such information within a  
148 specified timeframe under certain circumstances;  
149 requiring that the format of private provider permits  
150 meet a specified standard and include specified

151 information; providing legislative intent; requiring  
152 that the permitting process be universally adopted as  
153 a standard for this state; prohibiting the use of  
154 certain forms or the use of custom procedures or  
155 standards; authorizing the commission to implement  
156 such permitting processes and review them for  
157 consistency and relevance within a specified  
158 timeframe; reenacting s. 633.216(6), F.S., relating to  
159 inspection of buildings and equipment, orders,  
160 firesafety inspection training requirements,  
161 certification, and disciplinary action, to incorporate  
162 the amendment made to s. 468.605, F.S., in a reference  
163 thereto; reenacting ss. 177.073(1)(c), 468.603(9),  
164 468.621(1)(i) and (j), 471.033(1)(l), 481.225(1)(l),  
165 553.79(11), and 553.80(7)(a), F.S., relating to  
166 expedited approval of residential building permits  
167 before a final plat is recorded; definitions;  
168 disciplinary proceedings against building code  
169 administrators and inspectors; disciplinary  
170 proceedings against licensed engineers; disciplinary  
171 proceedings against registered architects; permits,  
172 applications, issuance, and inspections; and  
173 enforcement, respectively, to incorporate the  
174 amendment made to s. 553.791, F.S., in references  
175 thereto; providing an effective date.

176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200

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

**Section 1. Subsection (2) of section 468.605, Florida Statutes, is amended to read:**

468.605 Florida Building Code Administrators and Inspectors Board.—

(2) The board shall consist of nine members, as follows:

(a) One member who is an architect licensed pursuant to chapter 481, an engineer licensed pursuant to chapter 471, or a contractor licensed pursuant to chapter 489.

(b) Two members serving as building code administrators, one of whom must be a private provider as defined in s. 553.791(1) or be employed by a private provider firm as defined in s. 553.791(1).

(c) Two members serving as building code inspectors, one of whom must be a private provider as defined in s. 553.791(1) or be employed by a private provider firm as defined in s. 553.791(1).

(d) One member serving as a plans examiner.

(e) One member who is a representative of a city or a charter county.

(f) Two consumer members who are not, and have never been, members of a profession regulated under this part, chapter 481, chapter 471, or chapter 489. One of the consumer members must be



201 a person with a disability or a representative of an  
 202 organization which represents persons with disabilities.

203  
 204 ~~None of~~ The board members described in paragraph (a) or  
 205 paragraph (f) may not be an employee of a municipal, county, or  
 206 state governmental agency.

207 **Section 2. Subsection (1) of section 553.74, Florida**  
 208 **Statutes, is amended to read:**

209 553.74 Florida Building Commission.—

210 (1) The Florida Building Commission is created and located  
 211 within the Department of Business and Professional Regulation  
 212 for administrative purposes. Members are appointed by the  
 213 Governor subject to confirmation by the Senate. The commission  
 214 is composed of 23 ~~19~~ members, consisting of the following  
 215 members:

216 (a) One architect licensed pursuant to chapter 481 with at  
 217 least 5 years of experience in the design and construction of  
 218 buildings designated for Group E or Group I occupancies by the  
 219 Florida Building Code. The American Institute of Architects,  
 220 Florida Section, is encouraged to recommend a list of candidates  
 221 for consideration.

222 (b) One structural engineer registered to practice in this  
 223 state and actively engaged in the profession. The Florida  
 224 Engineering Society is encouraged to recommend a list of  
 225 candidates for consideration.

226 (c) One air-conditioning contractor, mechanical  
227 contractor, or mechanical engineer certified to do business in  
228 this state and actively engaged in the profession. The Florida  
229 Air Conditioning Contractors Association, the Florida  
230 Refrigeration and Air Conditioning Contractors Association, the  
231 Mechanical Contractors Association of Florida, and the Florida  
232 Engineering Society are encouraged to recommend a list of  
233 candidates for consideration.

234 (d) One electrical contractor or electrical engineer  
235 certified to do business in this state and actively engaged in  
236 the profession. The Florida Association of Electrical  
237 Contractors; the National Electrical Contractors Association,  
238 Florida Chapter; and the Florida Engineering Society are  
239 encouraged to recommend a list of candidates for consideration.

240 (e) One certified general contractor or one certified  
241 building contractor certified to do business in this state and  
242 actively engaged in the profession. The Associated Builders and  
243 Contractors of Florida, the Florida Associated General  
244 Contractors Council, the Florida Home Builders Association, and  
245 the Union Contractors Association are encouraged to recommend a  
246 list of candidates for consideration.

247 (f) One plumbing contractor licensed to do business in  
248 this state and actively engaged in the profession. The Florida  
249 Association of Plumbing, Heating, and Cooling Contractors is  
250 encouraged to recommend a list of candidates for consideration.

251 (g) One roofing or sheet metal contractor certified to do  
252 business in this state and actively engaged in the profession.  
253 The Florida Roofing, Sheet Metal, and Air Conditioning  
254 Contractors Association and the Sheet Metal and Air Conditioning  
255 Contractors' National Association are encouraged to recommend a  
256 list of candidates for consideration.

257 (h) One certified residential contractor licensed to do  
258 business in this state and actively engaged in the profession.  
259 The Florida Home Builders Association is encouraged to recommend  
260 a list of candidates for consideration.

261 (i) Three members who are municipal, county, or district  
262 codes enforcement officials, one of whom is also a fire  
263 official. The Building Officials Association of Florida and the  
264 Florida Fire Marshals and Inspectors Association are encouraged  
265 to recommend a list of candidates for consideration.

266 (j) One member of a Florida-based organization of persons  
267 with disabilities or a nationally chartered organization of  
268 persons with disabilities with chapters in this state which  
269 complies with or is certified to be compliant with the  
270 requirements of the Americans with Disabilities Act of 1990, as  
271 amended.

272 (k) One member of the manufactured buildings industry who  
273 is licensed to do business in this state and is actively engaged  
274 in the industry. The Florida Manufactured Housing Association is  
275 encouraged to recommend a list of candidates for consideration.

276 (l) One member of the building products manufacturing  
277 industry who is authorized to do business in this state and is  
278 actively engaged in the industry. The Florida Building Material  
279 Association, the Florida Concrete and Products Association, and  
280 the Fenestration Manufacturers Association are encouraged to  
281 recommend a list of candidates for consideration.

282 (m) One member who is a representative of the building  
283 owners and managers industry who is actively engaged in  
284 commercial building ownership or management. The Building Owners  
285 and Managers Association is encouraged to recommend a list of  
286 candidates for consideration.

287 (n) One member who is a representative of the insurance  
288 industry. The Florida Insurance Council is encouraged to  
289 recommend a list of candidates for consideration.

290 (o) One member who is a swimming pool contractor licensed  
291 to do business in this state and actively engaged in the  
292 profession. The Florida Swimming Pool Association and the United  
293 Pool and Spa Association are encouraged to recommend a list of  
294 candidates for consideration.

295 (p) The Chief Resilience Officer or his or her designee.

296 (q) One member who is a representative of a natural gas  
297 distribution system and who is actively engaged in the  
298 distribution of natural gas in this state. The Florida Natural  
299 Gas Association is encouraged to recommend a list of candidates  
300 for consideration.

301 (r) Two members who are private providers as defined in s.  
 302 553.791(1) or who are employed by private provider firms as  
 303 defined in s. 553.791(1). The Private Provider Association of  
 304 Florida is encouraged to recommend a list of candidates for  
 305 consideration.

306 (s) Two members who are licensed contractors as defined in  
 307 s. 489.105(3) and who utilize private providers as defined in s.  
 308 553.791(1) or private provider firms as defined in s. 553.791(1)  
 309 for inspections or plan reviews. The Private Provider  
 310 Association of Florida is encouraged to recommend a list of  
 311 candidates for consideration.

312 **Section 3. Section 553.791, Florida Statutes, is amended**  
 313 **to read:**

314 553.791 Alternative plans review and inspection.—

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

316 (a) "Applicable codes" means the Florida Building Code and  
 317 any local technical amendments to the Florida Building Code but  
 318 does not include the applicable minimum fire prevention and  
 319 firesafety codes adopted pursuant to chapter 633.

320 ~~(b) "Audit" means the process to confirm that the building~~  
 321 ~~code inspection services have been performed by the private~~  
 322 ~~provider, including ensuring that the required affidavit for the~~  
 323 ~~plan review has been properly completed and submitted with the~~  
 324 ~~permit documents and that the minimum mandatory inspections~~  
 325 ~~required under the building code have been performed and~~

326 ~~properly recorded. The local building official may not replicate~~  
327 ~~the plan review or inspection being performed by the private~~  
328 ~~provider, unless expressly authorized by this section.~~

329 (b) ~~(e)~~ "Building" means any construction, erection,  
330 alteration, demolition, or improvement of, or addition to, any  
331 structure or site work for which permitting by a local  
332 enforcement agency is required.

333 (c) ~~(d)~~ "Building code inspection services" means those  
334 services described in s. 468.603(5) and (8) involving the review  
335 of building plans as well as those services involving the review  
336 of site plans and site work engineering plans or their  
337 functional equivalent, to determine compliance with applicable  
338 codes and those inspections required by law, conducted either in  
339 person or virtually, of each phase of construction for which  
340 permitting by a local enforcement agency is required to  
341 determine compliance with applicable codes.

342 (d) "Building official" means a local building official or  
343 a private provider who holds a building code administrator  
344 license.

345 (e) "Commission" means the Florida Building Commission.

346 (f) "Deliver" or "delivery" means any method of delivery  
347 used in conventional business or commercial practice, including  
348 delivery by electronic transmissions such as e-mail or any other  
349 form of electronic communication used to transmit information.

350 (g) ~~(f)~~ "Duly authorized representative" means an agent of

351 the private provider identified in the permit application who  
352 reviews plans or performs inspections as provided by this  
353 section and who is licensed as an engineer under chapter 471 or  
354 as an architect under chapter 481 or who holds a standard or  
355 provisional certificate under part XII of chapter 468. A duly  
356 authorized representative who only holds a provisional  
357 certificate under part XII of chapter 468 must be under the  
358 direct supervision of a person licensed as a building code  
359 administrator under part XII of chapter 468.

360 (h)~~(g)~~ "Electronic signature" means any letters,  
361 characters, or symbols manifested by electronic or similar means  
362 which are executed or adopted by a party with an intent to  
363 authenticate a writing or record.

364 (i)~~(h)~~ "Electronic transmission" or "submitted  
365 electronically" means any form or process of communication not  
366 directly involving the physical transfer of paper or another  
367 tangible medium which is suitable for the retention, retrieval,  
368 and reproduction of information by the recipient and is  
369 retrievable in paper form by the receipt through an automated  
370 process. ~~All notices provided for in this section may be  
371 transmitted electronically and shall have the same legal effect  
372 as if physically posted or mailed.~~

373 (j)~~(i)~~ "Electronically posted" means providing notices of  
374 decisions, results, or records, including inspection records,  
375 through the use of a website or other form of electronic

376 communication used to transmit or display information.

377 (k) "Form" means any document or record that has been  
 378 adopted by the commission.

379 (l)~~(j)~~ "Immediate threat to public safety and welfare"  
 380 means a building code violation that, if allowed to persist,  
 381 constitutes an immediate hazard that could result in death,  
 382 serious bodily injury, or significant property damage. This  
 383 paragraph does not limit the authority of the local building  
 384 official to issue a Notice of Corrective Action at any time  
 385 during the construction of a building project or any portion of  
 386 such project if the official determines that a condition of the  
 387 building or portion thereof may constitute a hazard when the  
 388 building is put into use following completion as long as the  
 389 condition cited is shown to be in violation of the building code  
 390 or approved plans.

391 (m)~~(k)~~ "Local building official" means the individual  
 392 within the governing jurisdiction responsible for direct  
 393 regulatory administration or supervision of plans review,  
 394 enforcement, and inspection of any construction, erection,  
 395 alteration, demolition, or substantial improvement of, or  
 396 addition to, any structure for which permitting is required to  
 397 indicate compliance with applicable codes and includes any duly  
 398 authorized designee of such person.

399 (n) "Management" means the individuals or entities within  
 400 a private provider firm which are duly authorized to oversee,



401 direct, and make decisions on behalf of the firm in the conduct  
402 of building inspection and building inspection-related services.  
403 Such individuals or entities may include, but are not limited  
404 to, the following:

405 1. Executive officers who hold senior positions within the  
406 firm, such as the president, chief executive officer, chief  
407 operating officer, chief financial officer, or other designated  
408 executive who is responsible for the overall strategic direction  
409 and operational management of the firm.

410 2. Authorized representatives who have been officially  
411 designated by the executive officers to act on behalf of the  
412 private provider firm. An authorized representative must have  
413 documented authorization to submit inspection reports,  
414 correspond with regulatory authorities, and perform other  
415 necessary duties as required by law or by contractual  
416 obligation.

417 3. Licensed professionals who hold the requisite  
418 professional licenses and are employed by the private provider  
419 firm to carry out building code inspection services. Licensed  
420 professionals are authorized to prepare, review, and certify  
421 documents related to their scope of work.

422 (o) "Notice" means the submission, including submission by  
423 electronic transmission, of any document, form, report, or  
424 correspondence by a private provider firm to a local building  
425 official. All notice provided for in this section shall have the

426 same legal effect as if physically posted or mailed.

427 (p)~~(l)~~ "Permit application" means a properly completed and  
 428 submitted application for the requested building or construction  
 429 permit, including:

- 430 1. The plans reviewed by the private provider.
- 431 2. The affidavit from the private provider required under  
 432 subsection (6).
- 433 3. Any applicable fees.
- 434 4. Any documents required by the local building official  
 435 to determine that the fee owner has secured all other government  
 436 approvals required by law.

437 (q)~~(m)~~ "Plans" means building plans, site engineering  
 438 plans, or site plans, or their functional equivalent, submitted  
 439 by a fee owner or fee owner's contractor to a private provider  
 440 or duly authorized representative for review.

441 (r)~~(n)~~ "Private provider" means a person licensed as a  
 442 building code administrator under part XII of chapter 468, as an  
 443 engineer under chapter 471, or as an architect under chapter  
 444 481. ~~For purposes of performing inspections under this section~~  
 445 ~~for additions and alterations that are limited to 1,000 square~~  
 446 ~~feet or less to residential buildings, the term "private~~  
 447 ~~provider" also includes a person who holds a standard~~  
 448 ~~certificate under part XII of chapter 468.~~

449 (s)~~(o)~~ "Private provider firm" means a business  
 450 organization, including a corporation, partnership, business

451 trust, or other legal entity, which offers services under this  
452 chapter to the public through licensees who are acting as  
453 agents, employees, officers, or partners of the firm. A person  
454 who is licensed as a building code administrator under part XII  
455 of chapter 468, an engineer under chapter 471, or an architect  
456 under chapter 481 may act as a private provider for an agent,  
457 employee, or officer of the private provider firm.

458 (t)~~(p)~~ "Request for certificate of occupancy or  
459 certificate of completion" means a properly completed and  
460 executed application for:

- 461 1. A certificate of occupancy or certificate of  
462 completion.
- 463 2. A certificate of compliance from the private provider  
464 required under subsection (13).
- 465 3. Any applicable fees.
- 466 4. Any documents required by the local building official  
467 to determine that the fee owner has secured all other government  
468 approvals required by law.

469 (u)~~(q)~~ "Single-trade inspection" means any inspection  
470 focused on a single construction trade, such as plumbing,  
471 mechanical, or electrical. The term includes, but is not limited  
472 to, inspections of door or window replacements; fences and block  
473 walls more than 6 feet high from the top of the wall to the  
474 bottom of the footing; stucco or plastering; reroofing with no  
475 structural alteration; HVAC replacements; ductwork or fan

476 replacements; alteration or installation of wiring, lighting,  
477 and service panels; water heater changeouts; sink replacements;  
478 and repiping.

479 (v)~~(r)~~ "Site work" means the portion of a construction  
480 project that is not part of the building structure, including,  
481 but not limited to, grading, excavation, landscape irrigation,  
482 and installation of driveways.

483 (w)~~(s)~~ "Stop-work order" means the issuance of any written  
484 statement, written directive, or written order which states the  
485 reason for the order and the conditions under which the cited  
486 work will be permitted to resume.

487 (x) "System of registration" means the system used to  
488 verify compliance with the licensure and insurance requirements  
489 for a private provider firm under this chapter.

490 (2) (a) Notwithstanding any other law or local government  
491 ordinance or local policy, the fee owner of a building or  
492 structure, or the fee owner's contractor upon written  
493 authorization from the fee owner, may choose to use a private  
494 provider to provide building code inspection services with  
495 regard to such building or structure and may make payment  
496 directly to the private provider for the provision of such  
497 services. All such services shall be the subject of an agreement  
498 ~~a written contract~~ between the private provider, or the private  
499 provider's firm, and the fee owner or the fee owner's  
500 contractor, upon ~~written~~ authorization of the fee owner. The fee

501 owner may elect to use a private provider to provide plans  
502 review or required building inspections, or both. However, if  
503 the fee owner or the fee owner's contractor uses a private  
504 provider to provide plans review, the local building official,  
505 in his or her discretion and pursuant to duly adopted policies  
506 of the local enforcement agency, may require the fee owner or  
507 the fee owner's contractor to use a private provider to also  
508 provide required building inspections.

509 (b) If an owner or a contractor retains a private provider  
510 for purposes of plans review or building inspection services,  
511 the local jurisdiction must reduce the permit fee by the amount  
512 of cost savings realized by the local enforcement agency for not  
513 having to perform such services. Such reduction may be  
514 calculated on a flat fee or percentage basis, or any other  
515 reasonable means by which a local enforcement agency assesses  
516 the cost for its plans review or inspection services. The  
517 reduced permit fee may not exceed the cost incurred by the local  
518 jurisdiction, including the labor cost of the personnel  
519 providing such services, as well as the clerical and supervisory  
520 assistance required to comply with this section. The local  
521 jurisdiction may not charge any additional fees for building  
522 inspections if the fee owner or contractor hires a private  
523 provider to perform such services; ~~however, the local~~  
524 ~~jurisdiction may charge a reasonable administrative fee, which~~  
525 ~~shall be based on the cost that is actually incurred, including~~

526 ~~the labor cost of the personnel providing the service, by the~~  
527 ~~local jurisdiction or attributable to the local jurisdiction for~~  
528 ~~the clerical and supervisory assistance required, or both.~~

529 (c) If an owner or a contractor retains a private provider  
530 for purposes of plans review or building inspection services,  
531 the local jurisdiction must immediately provide equal access to  
532 all permitting and inspection documents and reports to the  
533 private provider, owner, and contractor if such access is  
534 provided by software that protects exempt records from  
535 disclosure.

536 (3) A private provider and any duly authorized  
537 representative may only perform building code inspection  
538 services that are within the disciplines covered by that  
539 person's licensure or certification under chapter 468, chapter  
540 471, or chapter 481, including single-trade inspections. A  
541 private provider may not provide building code inspection  
542 services pursuant to this section upon any building designed or  
543 constructed by the private provider or the private provider's  
544 firm.

545 (4) A fee owner or the fee owner's contractor using a  
546 private provider to provide building code inspection services  
547 shall notify the local building official in writing at the time  
548 of permit application, or by 2 p.m. local time, 2 business days  
549 before the first scheduled inspection by the local building  
550 official or building code enforcement agency that a private

551 provider has been contracted to perform the required inspections  
552 of construction under this section, including single-trade  
553 inspections, on a form to be adopted by the commission. This  
554 notice shall include the following information:

555 (a) The services to be performed by the private provider.

556 (b) The name, firm, address, telephone number, and e-mail  
557 address of each private provider who is performing or will  
558 perform such services, his or her professional license or  
559 certification number, ~~qualification statements or resumes,~~ and,  
560 if required by the local building official, a certificate of  
561 insurance demonstrating that professional liability insurance  
562 coverage is in place for the private provider's firm, the  
563 private provider, and any duly authorized representative in the  
564 amounts required by this section.

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

567  
568 I have elected to use one or more private providers to  
569 provide building code plans review and/or inspection  
570 services on the building or structure that is the  
571 subject of the enclosed permit application, as  
572 authorized by s. 553.791, Florida Statutes. I  
573 understand that the local building official may not  
574 review the plans submitted or perform the required  
575 building inspections to determine compliance with the

576 applicable codes, except to the extent specified in  
577 said law. Instead, plans review and/or required  
578 building inspections will be performed by licensed or  
579 certified personnel identified in the application. The  
580 law requires minimum insurance requirements for such  
581 personnel, but I understand that I may require more  
582 insurance to protect my interests. By executing this  
583 form, I acknowledge that I have made inquiry regarding  
584 the competence of the licensed or certified personnel  
585 and the level of their insurance and am satisfied that  
586 my interests are adequately protected. I agree to  
587 indemnify, defend, and hold harmless the local  
588 government, the local building official, and their  
589 building code enforcement personnel from any and all  
590 claims arising from my use of these licensed or  
591 certified personnel to perform building code  
592 inspection services with respect to the building or  
593 structure that is the subject of the enclosed permit  
594 application.

595  
596 If the fee owner or the fee owner's contractor makes any changes  
597 to the listed private providers or the services to be provided  
598 by those private providers, the fee owner or the fee owner's  
599 contractor shall, within 1 business day after any change or  
600 within 2 business days before the next scheduled inspection,



601 update the notice to reflect such changes. A change of a duly  
602 authorized representative named in the permit application does  
603 not require a revision of the permit, and the building code  
604 enforcement agency shall not charge a fee for making the change.

605 (5) After construction has commenced ~~and if the local~~  
606 ~~building official is unable to provide inspection services in a~~  
607 ~~timely manner~~, the fee owner or the fee owner's contractor may  
608 elect to use a private provider to provide inspection services  
609 by notifying the local building official of the owner's or  
610 contractor's intention to do so ~~by 2 p.m. local time, 2 business~~  
611 ~~days~~ before the next scheduled inspection using the notice  
612 provided for in paragraphs (4) (a)-(c).

613 (6) A private provider performing plans review under this  
614 section shall review the plans to determine compliance with the  
615 applicable codes. Upon determining that the plans reviewed  
616 comply with the applicable codes, the private provider shall  
617 prepare an affidavit or affidavits certifying, under oath, that  
618 the following is true and correct to the best of the private  
619 provider's knowledge and belief:

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

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

624

625 Such affidavit may bear a written or electronic signature and

626 may be submitted electronically to the local building official.

627       (7) (a) The local building official may not perform reviews  
628 of plans, construction drawings, or any other related documents  
629 determined by a private provider to be compliant with the  
630 applicable codes ~~No more than 20 business days after receipt of~~  
631 ~~a permit application and the affidavit from the private provider~~  
632 ~~required pursuant to subsection (6), the local building official~~  
633 ~~shall issue the requested permit or provide a written notice to~~  
634 ~~the permit applicant identifying the specific plan features that~~  
635 ~~do not comply with the applicable codes, as well as the specific~~  
636 ~~code chapters and sections. If the local building official does~~  
637 ~~not provide a written notice of the plan deficiencies within the~~  
638 ~~prescribed 20-day period, the permit application shall be deemed~~  
639 ~~approved as a matter of law, and the permit shall be issued by~~  
640 ~~the local building official on the next business day.~~

641       (b) The local building official may review other forms and  
642 documents required under this section for completeness only. The  
643 local building official must provide written notice of any  
644 incomplete forms or documents required under this section no  
645 later than 10 days after receipt of a permit application and an  
646 affidavit from the private provider as required in subsection  
647 (6). If the local building official does not provide the written  
648 notice within the prescribed 10-day period, the permit shall be  
649 deemed approved as a matter of law, and the local building  
650 official must issue the permit on the next business day.

651        (c) If the local building official provides a written  
652 notice of any incomplete forms or documents required under this  
653 section at the time of plan submission ~~plan deficiencies to the~~  
654 ~~permit applicant~~ within the prescribed 10-day ~~20-day~~ period, the  
655 10-day ~~20-day~~ period shall be tolled pending resolution of the  
656 matter. To resolve the issues raised in the notice ~~plan~~  
657 ~~deficiencies~~, the permit applicant may elect to dispute the  
658 issues ~~deficiencies~~ pursuant to subsection (15) or to submit  
659 revisions to correct the issues ~~deficiencies~~.

660        (d) ~~(e)~~ If the permit applicant submits revisions, the  
661 local building official has the remainder of the tolled 10-day  
662 ~~20-day~~ period plus 5 business days ~~from the date of resubmittal~~  
663 to issue the requested permit or to provide a second written  
664 notice to the permit applicant stating which of the previously  
665 identified forms or documents ~~plan features~~ remain incomplete ~~in~~  
666 ~~noncompliance with the applicable codes, with specific reference~~  
667 ~~to the relevant code chapters and sections~~. Any subsequent  
668 review by the local building official is limited to the issues  
669 ~~deficiencies~~ cited in the original written notice. If the local  
670 building official does not provide the second written notice  
671 within the prescribed time period, the permit shall be deemed  
672 approved as a matter of law, and the local building official  
673 must issue the permit on the next business day.

674        (e) ~~(d)~~ If the local building official provides a second  
675 written notice ~~of plan deficiencies~~ to the permit applicant

676 within the prescribed time period, the permit applicant may  
677 elect to dispute the issues raised in the second notice  
678 ~~deficiencies~~ pursuant to subsection (15) or to submit additional  
679 revisions to correct the issues ~~deficiencies~~. For all revisions  
680 submitted after the first revision, the local building official  
681 has an additional 5 business days ~~from the date of resubmittal~~  
682 to issue the requested permit or to provide a written notice to  
683 the permit applicant stating which of the previously identified  
684 forms or documents ~~plan features~~ remain incomplete. If the local  
685 building official does not provide the notice within the  
686 prescribed time period, the permit shall be deemed approved as a  
687 matter of law, and the local building official must issue the  
688 permit on the next business day ~~in noncompliance with the~~  
689 ~~applicable codes, with specific reference to the relevant code~~  
690 ~~chapters and sections.~~

691 (8) A private provider performing required inspections  
692 under this section shall inspect each phase of construction as  
693 required by the applicable codes. Such inspection may be  
694 performed in-person or virtually. The private provider may have  
695 a duly authorized representative perform the required  
696 inspections, provided all required reports are prepared by and  
697 bear the written or electronic signature of the private provider  
698 or the private provider's duly authorized representative. The  
699 duly authorized representative must be managed by ~~an employee of~~  
700 the private provider and be entitled to receive reemployment

701 assistance benefits under chapter 443. The contractor's  
702 contractual or legal obligations are not relieved by any action  
703 of the private provider.

704 (9) ~~A private provider performing required inspections~~  
705 ~~under this section shall provide notice to the local building~~  
706 ~~official of the approximate date and time of any such~~  
707 ~~inspection. The local building official may not prohibit the~~  
708 ~~private provider from performing any inspection outside the~~  
709 ~~local building official's normal operating hours, including~~  
710 ~~after hours, weekends, or holidays. The local building official~~  
711 ~~may visit the building site as often as necessary to verify that~~  
712 ~~the private provider is performing all required inspections. A~~  
713 ~~deficiency notice must be posted by the private provider, or the~~  
714 ~~duly authorized representative of the private provider, ~~or the~~~~  
715 ~~building department whenever a noncomplying item related to the~~  
716 ~~building code or the permitted documents is found. Such notice~~  
717 ~~may be physically posted at the job site or electronically~~  
718 ~~posted. After corrections are made, the item must be reinspected~~  
719 ~~by the private provider or his or her representative before~~  
720 ~~being concealed. Reinspection or reaudit fees shall not be~~  
721 ~~charged by~~ The local jurisdiction may not charge any fees  
722 related to the reinspection or any other administrative matter  
723 related to the reinspection. The local building official may not  
724 visit the job site without written approval from the private  
725 provider.

726       (10) A local building official is not responsible for the  
727 regulatory administration or supervision of building code  
728 inspection services performed by a private provider hired by a  
729 fee owner or a fee owner's contractor. A private provider who  
730 is, or a private provider firm that employs a person licensed  
731 as, a building code administrator under part XII of chapter 468,  
732 shall serve as the local building official with respect to such  
733 building code inspection services. Such individuals and entities  
734 shall be vested with the authority of a local building official  
735 with respect to such services, including, without limitation,  
736 the authority to ensure compliance with applicable laws, rules,  
737 regulations, and codes; the authority to communicate and  
738 interact directly with public or government building officials  
739 and utility and other service providers; the authority to submit  
740 forms and documents to such officials and entities and to  
741 authorize the connection and disconnection of utility services;  
742 and the authority to otherwise take all actions that permit or  
743 require action or authorization of a building official under  
744 applicable laws, rules, regulations, and codes. The local  
745 building official may not interfere with the actions or  
746 activities of such individuals and entities in the performance  
747 of such actions. Verification of licensure and insurance  
748 requirements for a private provider firm's duly authorized  
749 representative is the responsibility of the private provider  
750 firm's management, and the local building official is not

751 required to verify compliance or store information related to  
752 such verification ~~as a result of the local jurisdiction's audit~~  
753 ~~inspection occurring before the performance of the private~~  
754 ~~provider's inspection or for any other administrative matter not~~  
755 ~~involving the detection of a violation of the building code or a~~  
756 ~~permit requirement.~~

757 ~~(10) If the private provider is a person licensed as an~~  
758 ~~engineer under chapter 471 or an architect under chapter 481 and~~  
759 ~~affixes his or her professional seal to the affidavit required~~  
760 ~~under subsection (6), the local building official must issue the~~  
761 ~~requested permit or provide a written notice to the permit~~  
762 ~~applicant identifying the specific plan features that do not~~  
763 ~~comply with the applicable codes, as well as the specific code~~  
764 ~~chapters and sections, within 10 business days after receipt of~~  
765 ~~the permit application and affidavit. In such written notice,~~  
766 ~~the local building official must provide with specificity the~~  
767 ~~plan's deficiencies, the reasons the permit application failed,~~  
768 ~~and the applicable codes being violated. If the local building~~  
769 ~~official does not provide specific written notice to the permit~~  
770 ~~applicant within the prescribed 10-day period, the permit~~  
771 ~~application is deemed approved as a matter of law, and the local~~  
772 ~~building official must issue the permit on the next business~~  
773 ~~day.~~

774 (11) If equipment replacements and repairs must be  
775 performed in an emergency situation, subject to the emergency

776 | permitting provisions of the Florida Building Code, a private  
777 | provider may perform emergency inspection services ~~without first~~  
778 | ~~notifying the local building official pursuant to subsection~~  
779 | ~~(9)~~. A private provider must conduct the inspection within 3  
780 | business days after being contacted to conduct an emergency  
781 | inspection and must submit the inspection report to the local  
782 | building official within 1 day after the inspection is  
783 | completed.

784 |       (12) Upon completing the required inspections at each  
785 | applicable phase of construction, the private provider shall  
786 | record such inspections on a form provided by the commission  
787 | ~~acceptable to the local building official~~. The form must bear  
788 | the written or electronic signature of the private provider or  
789 | the private provider's duly authorized representative. These  
790 | inspection records must ~~shall~~ reflect those inspections required  
791 | by the applicable codes of each phase of construction for which  
792 | permitting by a local enforcement agency is required. The  
793 | private provider, upon completion of the required inspection,  
794 | shall post each completed inspection record, indicating pass or  
795 | fail, and provide the record to the local building official  
796 | within 4 ~~2~~ business days. Such inspection record may be  
797 | electronically posted by the private provider, or the private  
798 | provider may post such inspection record physically at the  
799 | project site. The private provider may electronically transmit  
800 | the record to the local building official. The private provider



801 is not required to upload notices or inspection results to any  
802 website or portal. The local building official may waive the  
803 requirement to provide a record of each inspection within 4 ~~2~~  
804 business days if the record is electronically posted or posted  
805 at the project site and all such inspection records are  
806 submitted with the certificate of compliance. Unless the records  
807 have been electronically posted, records of all required and  
808 completed inspections shall be maintained at the building site  
809 at all times and made available for review by the local building  
810 official. The private provider shall report to the local  
811 enforcement agency any condition that poses an immediate threat  
812 to public safety and welfare.

813 (13) Upon completion of all required inspections, the  
814 private provider shall prepare a certificate of compliance, on a  
815 form provided by the commission ~~acceptable to the local building~~  
816 ~~official~~, summarizing the inspections performed and including a  
817 written representation, under oath, that the stated inspections  
818 have been performed and that, to the best of the private  
819 provider's knowledge and belief, the building construction  
820 inspected complies with the approved plans and applicable codes.  
821 The statement required of the private provider shall be  
822 substantially in the following form and shall be signed and  
823 sealed by a private provider as established in subsection (1) or  
824 may be electronically transmitted to the local building  
825 official:

826  
827 To the best of my knowledge and belief, the building  
828 components and site improvements outlined herein and  
829 inspected under my authority have been completed in  
830 conformance with the approved plans and the applicable  
831 codes.

832  
833 (14) (a) The local building official may not perform  
834 building inspections of construction that a private provider has  
835 determined to be compliant with the applicable codes. The local  
836 building official may review forms and documents required under  
837 this section for completeness only. No more than 10 business  
838 days, or if the permit is related to single-family or two-family  
839 dwellings then no more than 2 business days, after receipt of a  
840 request for a certificate of occupancy or certificate of  
841 completion and the applicant's presentation of a certificate of  
842 compliance and approval of all other government approvals  
843 required by law, including the payment of all outstanding fees,  
844 the local building official shall issue the certificate of  
845 occupancy or certificate of completion or provide a notice to  
846 the applicant of any incomplete forms or documents required  
847 under this section ~~identifying the specific deficiencies, as~~  
848 ~~well as the specific code chapters and sections.~~

849 (b) If the local building official does not provide notice  
850 of any incomplete forms or documents ~~the deficiencies~~ within the

851 applicable time periods under paragraph (a), the request for a  
852 certificate of occupancy or certificate of completion is  
853 automatically granted and deemed issued as of the next business  
854 day. The local building official must provide the applicant with  
855 the written certificate of occupancy or certificate of  
856 completion within 2 ~~10~~ days after it is automatically granted  
857 and issued. To resolve any identified issues ~~deficiencies~~, the  
858 applicant may elect to dispute the issues ~~deficiencies~~ pursuant  
859 to subsection (15) or to submit a corrected request for a  
860 certificate of occupancy or certificate of completion.

861 (15) If the local building official determines that any  
862 forms or documents required under this section are incomplete  
863 ~~the building construction or plans do not comply with the~~  
864 ~~applicable codes~~, the official may deny the permit or request  
865 for a certificate of occupancy or certificate of completion, as  
866 appropriate, or may issue a stop-work order for the project or  
867 any portion thereof as provided by law, if the official  
868 determines that the noncompliance poses an immediate threat to  
869 public safety and welfare, subject to the following:

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

875 (b) If the local building official and private provider

876 are unable to resolve the dispute, the matter shall be referred  
877 to the local enforcement agency's board of appeals, if one  
878 exists, which shall consider the matter at its next scheduled  
879 meeting or sooner. Any decisions by the local enforcement  
880 agency's board of appeals, or local building official if there  
881 is no board of appeals, may be appealed to the commission as  
882 provided by this chapter.

883 (c) Notwithstanding any provision of this section, any  
884 decisions regarding the issuance of a building permit,  
885 certificate of occupancy, or certificate of completion may be  
886 reviewed by the local enforcement agency's board of appeals, if  
887 one exists. Any decision by the local enforcement agency's board  
888 of appeals, or local building official if there is no board of  
889 appeals, may be appealed to the commission as provided by this  
890 chapter, which shall consider the matter at the commission's  
891 next scheduled meeting.

892 (16) For the purposes of this section, any notice to be  
893 provided by the local building official shall be deemed to be  
894 provided to the person or entity when successfully transmitted  
895 to the e-mail address listed for that person or entity in the  
896 permit application or revised permit application, or, if no e-  
897 mail address is stated, when actually received by that person or  
898 entity.

899 (17) (a) A local enforcement agency, local building  
900 official, or local government may not adopt or enforce any laws,

901 rules, procedures, policies, qualifications, or standards more  
902 stringent than those prescribed by this section.

903 (b) A local enforcement agency, local building official,  
904 or local government may establish, for private providers and  
905 private provider firms, ~~and duly authorized representatives~~  
906 working within that jurisdiction, a system of registration to  
907 verify compliance with the licensure requirements of paragraph  
908 (1) (r) ~~paragraph (1) (n)~~ and the insurance requirements of  
909 subsection (18).

910 (c) This section does not limit the authority of the local  
911 building official to issue a stop-work order for a building  
912 project or any portion of the project, as provided by law, if  
913 the official determines that a condition on the building site  
914 constitutes an immediate threat to public safety and welfare,  
915 provided such orders are in strict compliance with the  
916 deficiency notice provisions of subsection (9).

917 (18) A private provider may perform building code  
918 inspection services on a building project under this section  
919 only if the private provider maintains insurance for  
920 professional liability covering all services performed as a  
921 private provider. Such insurance shall have minimum policy  
922 limits of \$1 million per occurrence and \$2 million in the  
923 aggregate for any project with a construction cost of \$5 million  
924 or less and \$2 million per occurrence and \$4 million in the  
925 aggregate for any project with a construction cost of over \$5

926 million. Nothing in this section limits the ability of a fee  
927 owner to require additional insurance or higher policy limits.  
928 For these purposes, the term "construction cost" means the total  
929 cost of building construction as stated in the building permit  
930 application. If the private provider chooses to secure claims-  
931 made coverage to fulfill this requirement, the private provider  
932 must also maintain coverage for a minimum of 5 years after  
933 ~~subsequent to~~ the performance of building code inspection  
934 services. The insurance required under this subsection shall be  
935 written only by insurers authorized to do business in this state  
936 with a minimum A.M. Best's rating of A. Before providing  
937 building code inspection services within a local building  
938 official's jurisdiction, a private provider must provide to the  
939 local building official a certificate of insurance evidencing  
940 that the coverages required under this subsection are in force.

941 (19) When performing building code inspection services, a  
942 private provider is subject to the disciplinary guidelines of  
943 the applicable professional board with jurisdiction over his or  
944 her license or certification under chapter 468, chapter 471, or  
945 chapter 481. All private providers shall be subject to the  
946 disciplinary guidelines of s. 468.621(1)(c)-(h). Any complaint  
947 processing, investigation, and discipline that arise out of a  
948 private provider's performance of building code inspection  
949 services shall be conducted by the applicable professional  
950 board.

951 (20) A local building code enforcement agency may not  
952 audit the performance of building code inspection services by  
953 private providers operating within the local jurisdiction until  
954 the agency has created standard operating ~~private provider audit~~  
955 procedures for the agency's internal inspection and review  
956 staff, which includes, at a minimum, the private provider audit  
957 purpose and scope, private provider audit criteria, an  
958 explanation of private provider audit processes and objections,  
959 and detailed findings of areas of noncompliance. Such private  
960 provider audit procedures must be publicly available online, and  
961 a printed version must be readily accessible in agency  
962 buildings. The private provider audit results of staff for the  
963 prior two quarters also must be publicly available. The agency's  
964 audit processes must adhere to the agency's posted standard  
965 operating audit procedures. The same private provider or private  
966 provider firm may not be audited more than four times in a year.  
967 The private provider or private provider firm must be given  
968 notice of each audit to be performed within 5 business days  
969 before the audit ~~unless the local building official determines a~~  
970 ~~condition of a building constitutes an immediate threat to~~  
971 ~~public safety and welfare, which must be communicated in writing~~  
972 ~~to the private provider or private provider firm.~~ Work on a  
973 building or structure may proceed after inspection and approval  
974 by a private provider. The work may not be delayed for  
975 completion of an inspection audit by the local building code

976 enforcement agency.

977 (21) The local government, the local building official,  
978 and their building code enforcement personnel shall be immune  
979 from liability to any person or party for any action or inaction  
980 by a fee owner of a building, or by a private provider or its  
981 duly authorized representative, in connection with building code  
982 inspection services as authorized in this act. The local  
983 government, the local building official, and their building code  
984 enforcement personnel may not prohibit or discourage the use of  
985 a private provider or a private provider firm. A local  
986 government, a local building official, and their building code  
987 enforcement personnel are not immune from liability or judicial  
988 action relating to violations of this section or their  
989 obligations under applicable codes, including, without  
990 limitation, interference with, disparagement of, or failure to  
991 recognize the authority vested in private providers.

992 Notwithstanding any other available remedies, any person or  
993 party, in an individual capacity or on behalf of a class of  
994 persons or parties, may bring and maintain actions for damages,  
995 declaratory and injunctive relief, and the issuance of  
996 extraordinary writs for violations of this subsection.

997 (22) A private provider licensed as a building code  
998 administrator under chapter 468 shall serve as the local  
999 building official with respect to the building code inspection  
1000 services it has been hired to perform by the fee owner or the



1001 fee owner's contractor. Such private providers may issue  
1002 building permits. All information from the private provider,  
1003 including, but not limited to, building permits, inspection  
1004 information, and drawings, must be provided to the property  
1005 appraiser for the county or the jurisdiction. Drawings must be  
1006 delivered in their original electronic format. Permits must be  
1007 made publicly available, and the status of the permits must be  
1008 made available on the Private Provider Association of Florida  
1009 website so that code enforcement and other agencies and private  
1010 entities may see their status. The Private Provider Association  
1011 of Florida, or a similar nonprofit association, may require a  
1012 fee or subscription to upload the information to its site or to  
1013 use an applications programming interface. The private provider  
1014 shall update such information within 2 business days after  
1015 issuing a permit or a status change.

1016 (23) The format of the permit must meet a recognized and  
1017 approved standard, as prescribed by this section, for use by  
1018 private providers. Private provider permits must include space  
1019 for acknowledgement of review and acceptance of the following:

- 1020 (a) The application.  
1021 (b) Licensing.  
1022 (c) The notice of commencement.  
1023 (d) The plan review.  
1024 (e) Required inspections.  
1025 (f) The following lists of inspections:

1026        1. Building.  
 1027        2. Electric.  
 1028        3. Mechanical.  
 1029        4. Plumbing.  
 1030        (g) Permitting inspection.  
 1031        (h) The placard card.  
 1032        (i) The blower door test.  
 1033        (j) The insulation certificate.  
 1034        (k) The termite treatment certificate.  
 1035        (l) The power release.  
 1036        (m) The certificate of occupancy or certificate of  
 1037 completion.  
 1038        ~~(24)-(22)~~ Notwithstanding any other law, a county, a  
 1039 municipality, a school district, or an independent special  
 1040 district may use a private provider or a private provider firm  
 1041 to provide building code inspection services for a public works  
 1042 project, an improvement, a building, or any other structure that  
 1043 is owned by the county, municipality, school district, or  
 1044 independent special district.  
 1045  
 1046 It is the intent of the Legislature to provide permit applicants  
 1047 with a consistent and efficient user experience. The permitting  
 1048 process must be universally adopted as a standard for this  
 1049 state. Local building officials and local governments may not  
 1050 adopt, create, or use any form that is inconsistent with any

1051 applicable law, rule, or form of this state. The use of custom  
1052 procedures or standards is prohibited. The commission shall  
1053 implement the permitting process and may review it once every 3  
1054 years thereafter for consistency and relevance.

1055 **Section 4.** For the purpose of incorporating the amendment  
1056 made by this act to section 468.605, Florida Statutes, in a  
1057 reference thereto, subsection (6) of section 633.216, Florida  
1058 Statutes, is reenacted to read:

1059 633.216 Inspection of buildings and equipment; orders;  
1060 firesafety inspection training requirements; certification;  
1061 disciplinary action.—The State Fire Marshal and her or his  
1062 agents or persons authorized to enforce laws and rules of the  
1063 State Fire Marshal shall, at any reasonable hour, when the State  
1064 Fire Marshal has reasonable cause to believe that a violation of  
1065 this chapter or s. 509.215, or a rule adopted thereunder, or a  
1066 minimum firesafety code adopted by the State Fire Marshal or a  
1067 local authority, may exist, inspect any and all buildings and  
1068 structures which are subject to the requirements of this chapter  
1069 or s. 509.215 and rules adopted thereunder. The authority to  
1070 inspect shall extend to all equipment, vehicles, and chemicals  
1071 which are located on or within the premises of any such building  
1072 or structure.

1073 (6) The division and the Florida Building Code  
1074 Administrators and Inspectors Board, established pursuant to s.  
1075 468.605, shall enter into a reciprocity agreement to facilitate

1076 joint recognition of continuing education recertification hours  
 1077 for certificateholders licensed under s. 468.609 and firesafety  
 1078 inspectors certified under subsection (2).

1079 **Section 5.** For the purpose of incorporating the amendment  
 1080 made by this act to section 553.791, Florida Statutes, in a  
 1081 reference thereto, paragraph (c) of subsection (1) of section  
 1082 177.073, Florida Statutes, is reenacted to read:

1083 177.073 Expedited approval of residential building permits  
 1084 before a final plat is recorded.—

1085 (1) As used in this section, the term:

1086 (c) "Local building official" has the same meaning as in  
 1087 s. 553.791(1).

1088 **Section 6.** For the purpose of incorporating the amendment  
 1089 made by this act to section 553.791, Florida Statutes, in a  
 1090 reference thereto, subsection (9) of section 468.603, Florida  
 1091 Statutes, is reenacted to read:

1092 468.603 Definitions.—As used in this part:

1093 (9) "Private provider" has the same meaning as in s.  
 1094 553.791(1).

1095 **Section 7.** For the purpose of incorporating the amendment  
 1096 made by this act to section 553.791, Florida Statutes, in  
 1097 references thereto, paragraphs (i) and (j) of subsection (1) of  
 1098 section 468.621, Florida Statutes, are reenacted to read:

1099 468.621 Disciplinary proceedings.—

1100 (1) The following acts constitute grounds for which the

1101 disciplinary actions in subsection (2) may be taken:  
 1102 (i) Failing to lawfully execute the duties and  
 1103 responsibilities specified in this part and ss. 553.73, 553.781,  
 1104 553.79, and 553.791.

1105 (j) Performing building code inspection services under s.  
 1106 553.791 without satisfying the insurance requirements of that  
 1107 section.

1108 **Section 8.** For the purpose of incorporating the amendment  
 1109 made by this act to section 553.791, Florida Statutes, in a  
 1110 reference thereto, paragraph (1) of subsection (1) of section  
 1111 471.033, Florida Statutes, is reenacted to read:

1112 471.033 Disciplinary proceedings.—

1113 (1) The following acts constitute grounds for which the  
 1114 disciplinary actions in subsection (3) may be taken:

1115 (1) Performing building code inspection services under s.  
 1116 553.791, without satisfying the insurance requirements of that  
 1117 section.

1118 **Section 9.** For the purpose of incorporating the amendment  
 1119 made by this act to section 553.791, Florida Statutes, in a  
 1120 reference thereto, paragraph (1) of subsection (1) of section  
 1121 481.225, Florida Statutes, is reenacted to read:

1122 481.225 Disciplinary proceedings against registered  
 1123 architects.—

1124 (1) The following acts constitute grounds for which the  
 1125 disciplinary actions in subsection (3) may be taken:

1126 (1) Performing building code inspection services under s.  
 1127 553.791, without satisfying the insurance requirements of that  
 1128 section.

1129 **Section 10.** For the purpose of incorporating the amendment  
 1130 made by this act to section 553.791, Florida Statutes, in a  
 1131 reference thereto, subsection (11) of section 553.79, Florida  
 1132 Statutes, is reenacted to read:

1133 553.79 Permits; applications; issuance; inspections.—

1134 (11) Any state agency whose enabling legislation  
 1135 authorizes it to enforce provisions of the Florida Building Code  
 1136 may enter into an agreement with any other unit of government to  
 1137 delegate its responsibility to enforce those provisions and may  
 1138 expend public funds for permit and inspection fees, which fees  
 1139 may be no greater than the fees charged others. Inspection  
 1140 services that are not required to be performed by a state agency  
 1141 under a federal delegation of responsibility or by a state  
 1142 agency under the Florida Building Code must be performed under  
 1143 the alternative plans review and inspection process created in  
 1144 s. 553.791 or by a local governmental entity having authority to  
 1145 enforce the Florida Building Code.

1146 **Section 11.** For the purpose of incorporating the amendment  
 1147 made by this act to section 553.791, Florida Statutes, in a  
 1148 reference thereto, paragraph (a) of subsection (7) of section  
 1149 553.80, Florida Statutes, is reenacted to read:

1150 553.80 Enforcement.—

1151 (7) (a) The governing bodies of local governments may  
1152 provide a schedule of reasonable fees, as authorized by s.  
1153 125.56(2) or s. 166.222 and this section, for enforcing this  
1154 part. These fees, and any fines or investment earnings related  
1155 to the fees, may only be used for carrying out the local  
1156 government's responsibilities in enforcing the Florida Building  
1157 Code. When providing a schedule of reasonable fees, the total  
1158 estimated annual revenue derived from fees, and the fines and  
1159 investment earnings related to the fees, may not exceed the  
1160 total estimated annual costs of allowable activities. Any  
1161 unexpended balances must be carried forward to future years for  
1162 allowable activities or must be refunded at the discretion of  
1163 the local government. A local government may not carry forward  
1164 an amount exceeding the average of its operating budget for  
1165 enforcing the Florida Building Code for the previous 4 fiscal  
1166 years. For purposes of this subsection, the term "operating  
1167 budget" does not include reserve amounts. Any amount exceeding  
1168 this limit must be used as authorized in subparagraph 2.  
1169 However, a local government that established, as of January 1,  
1170 2019, a Building Inspections Fund Advisory Board consisting of  
1171 five members from the construction stakeholder community and  
1172 carries an unexpended balance in excess of the average of its  
1173 operating budget for the previous 4 fiscal years may continue to  
1174 carry such excess funds forward upon the recommendation of the  
1175 advisory board. The basis for a fee structure for allowable

1176 activities must relate to the level of service provided by the  
1177 local government and must include consideration for refunding  
1178 fees due to reduced services based on services provided as  
1179 prescribed by s. 553.791, but not provided by the local  
1180 government. Fees charged must be consistently applied.

1181 1. As used in this subsection, the phrase "enforcing the  
1182 Florida Building Code" includes the direct costs and reasonable  
1183 indirect costs associated with review of building plans,  
1184 building inspections, reinspections, and building permit  
1185 processing; building code enforcement; and fire inspections  
1186 associated with new construction. The phrase may also include  
1187 training costs associated with the enforcement of the Florida  
1188 Building Code and enforcement action pertaining to unlicensed  
1189 contractor activity to the extent not funded by other user fees.

1190 2. A local government must use any excess funds that it is  
1191 prohibited from carrying forward to rebate and reduce fees, to  
1192 upgrade technology hardware and software systems to enhance  
1193 service delivery, to pay for the construction of a building or  
1194 structure that houses a local government's building code  
1195 enforcement agency, or for training programs for building  
1196 officials, inspectors, or plans examiners associated with the  
1197 enforcement of the Florida Building Code. Excess funds used to  
1198 construct such a building or structure must be designated for  
1199 such purpose by the local government and may not be carried  
1200 forward for more than 4 consecutive years. An owner or builder



1201 who has a valid building permit issued by a local government for  
 1202 a fee, or an association of owners or builders located in the  
 1203 state that has members with valid building permits issued by a  
 1204 local government for a fee, may bring a civil action against the  
 1205 local government that issued the permit for a fee to enforce  
 1206 this subparagraph.

1207 3. The following activities may not be funded with fees  
 1208 adopted for enforcing the Florida Building Code:

1209 a. Planning and zoning or other general government  
 1210 activities.

1211 b. Inspections of public buildings for a reduced fee or no  
 1212 fee.

1213 c. Public information requests, community functions,  
 1214 boards, and any program not directly related to enforcement of  
 1215 the Florida Building Code.

1216 d. Enforcement and implementation of any other local  
 1217 ordinance, excluding validly adopted local amendments to the  
 1218 Florida Building Code and excluding any local ordinance directly  
 1219 related to enforcing the Florida Building Code as defined in  
 1220 subparagraph 1.

1221 4. A local government must use recognized management,  
 1222 accounting, and oversight practices to ensure that fees, fines,  
 1223 and investment earnings generated under this subsection are  
 1224 maintained and allocated or used solely for the purposes  
 1225 described in subparagraph 1.

1226           5. The local enforcement agency, independent district, or  
 1227 special district may not require at any time, including at the  
 1228 time of application for a permit, the payment of any additional  
 1229 fees, charges, or expenses associated with:

1230           a. Providing proof of licensure under chapter 489;

1231           b. Recording or filing a license issued under this  
 1232 chapter;

1233           c. Providing, recording, or filing evidence of workers'  
 1234 compensation insurance coverage as required by chapter 440; or

1235           d. Charging surcharges or other similar fees not directly  
 1236 related to enforcing the Florida Building Code.

1237           **Section 12.** This act shall take effect July 1, 2025.