

Bill Number: HB 803 – Governor’s signature – Pending

Bill Effective date: July 1, 2026

Executive Summary

Building Permits and Inspections

The bill creates section 468.634, F.S., authorizing individuals to work in specified positions under the direction of the local building official for a period of one year from the date of a state of emergency declared by the governor for a natural, manmade, or technological emergency.

The bill amends section 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.

The bill creates section 553.385, F.S., requiring that an offsite-constructed residential dwelling be permitted as of right in any zoning district where certain dwellings are allowed.

The bill amends section 553.77, F.S., requiring the Florida Building Commission, by July 1, 2027, to adopt by rule a uniform commercial building permit application to be used statewide for commercial construction projects and a uniform residential building permit application to be used statewide for residential construction projects.

The bill amends section 553.79, F.S., providing that local governments may not require a building permit for work under \$7,500 on a single-family dwelling’s lot, except for electrical, plumbing, structural, mechanical or gas work.

The bill amends section 553.73, F.S., requiring the Florida Building Commission to modify the Florida Building Code to exempt from building permit requirements installation of certain retaining walls and flood barriers.

The bill amends several provisions of section 553.791, F.S., relating to building code inspection services provided by private provider and private provider firms, including agreement requirements, permit fees, administrative fees, responsibilities of private providers, permitting and inspection documents and reports, timeframes for issuing permits, authority of local building official, notices of incomplete forms, creation of certain forms, and systems of registration.

The bill amends section 553.792, F.S., to specify that, within 5 business days after receiving a complete and sufficient application, an applicant using a local government plans reviewer may obtain the following building permits for an existing single-family residential dwelling if the value of the work is less than \$15,000: structural, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing.

The bill amends section 720.3035, F.S., to prohibit an HOA or its committees from requiring a parcel owner to obtain a government-issued building permit before the association reviews proposed construction or improvements.

Implementation:

The Florida Building Commission would need to amend chapter 1 of the 8th Edition (2023) and the 9th Edition (2026) Florida Building Code, Building to reflect the bill’s code related changes as noted below.

Timeline:

The Florida Building Commission authorizes staff to initiate the rulemaking process to incorporate the legislative changes into the Florida Building Code	4/14/2026
Proposed Florida Building Code language posted on the Building Code Information System	4/15/2026
Notice of rule development published for Rule 61G20-1.001, F.A.C	5/15/2026
1 st 45 - day comment period end	5/30/2026
Code Administration Technical Advisory Committee review proposed Florida Building Code language	6/15/2026
2 nd 45-day comment period end	7/30/2026
Florida Building Commission approve the proposed code language	8/11/2026
Staff publishes the notice of proposed rule to update Rule 61G20-1.001, F.A.C. for consistency with the bill	8/31/2026
Staff files the updated Rule 61G20-1.001, F.A.C., for adoption	10/1/2026
The updated rule 61G-1.001, F.A.C., becomes effective	11/30/2026

The Florida Building Commission would need to amend Rule 61G20-2.005 to adopt an inspection form for recording private provider inspections and a certificate of compliance form.

The Florida Building Commission authorizes staff to initiate the rulemaking process	4/14/2026
Staff will develop an inspection form for recording private provider inspections and a form to be used by the private provider for submitting certificate of compliance	4/15 - 29/2026
Proposed forms posted on the Building Code Information System for public comment	4/30/2026
Notice of rule development published for Rule 61G20-2.005, F.A.C	5/15/2026
Public comment period end	5/15/2026
Code Administration Technical Advisory Committee consider the proposed forms and provide a recommendation to the Commission for consideration	5/29/2026
The Commission considers the TAC recommendations	6/9/2026
Staff publishes the notice of proposed rule to update Rule 61G20-2.005, F.A.C. for consistency with the bill	6/29/2026
Staff files the updated Rule 61G20-2.005, F.A.C., for adoption	7/30/2026
The updated rule 61G20-2.005, F.A.C., becomes effective	8/30/2026

The Florida Building Commission would require \$150,000 in contracted services to collect and review a significant number of building permit applications currently used by local enforcement agencies throughout the state, and to form a group of experts to advise on the development of specific criteria for a uniform building permit application. These experts will be drawn from building officials, construction industry organizations and associations, engineers, architects, contractors, and electronic permitting program vendors.

Solicit research Scope of Work (SOW) to carry out the study	May 2026
Code Administration Technical Advisory Committee review and approve proposed SOW	June 2026
Process SOW for approval	July 2026
Start contract	August 2026
Complete research	March 2027
Staff publishes the notice of proposed rule to update Rule 61G20-1.001, F.A.C. for consistency with the bill	TBD
Staff files the updated Rule 61G20-1.001, F.A.C., for adoption	TBD
The updated rule 61G-1.001, F.A.C., becomes effective	TBD

8th Edition (2023) Florida Building Code, Building

CHAPTER 1 SCOPE AND ADMINISTRATION

105.2 Work exempt from permit.

Revise section 105.2.3 to read as follows:

105.2.3 ~~Public service agencies. Reserved.~~

1. A local government that issues building permits shall exempt an owner of a single-family dwelling or the owner's contractor from the requirement to obtain a building permit to perform any work valued at less than \$7,500 on the owner's property.
2. The exemption under subparagraph 1. does not apply to any of the following:
 - a. Work on a property that is partially or entirely located in a flood hazard area as defined by the Florida Building Code.
 - b. Any electrical, plumbing, structural, mechanical, or gas work performed on property containing a single-family dwelling. A construction project may not be divided into more than one project for the purpose of evading the requirements of this paragraph.
3. To qualify for the exemption under subparagraph 1., the owner or the owner's contractor must submit a written request or exemption to the local enforcement agency with a copy of the contract or other documentation demonstrating the nature and the value of the work to be performed.
4. A local government has no legal duty to the owner, contractor, or successors or assigns thereof for exempted work performed under this paragraph.

Add section 105.2.4 to read as follows:

1. A local government that issues building permits shall exempt an owner of a single-family dwelling or the owner's contractor from the requirement to obtain a building permit for the installation of temporary residential hurricane and flood protection walls or barriers that meet all of the following conditions:
 - a. The wall or barrier is nonhabitable and non-load bearing.
 - b. The wall or barrier is installed on the residential property of a single-family or two-family dwelling or townhouse.
 - c. The wall or barrier is constructed to mitigate or prevent storm surge or floodwaters from entering a structure or property.

- d. The wall or barrier is installed by a contractor licensed under part I of chapter 489.
 - e. The wall or barrier complies with applicable local zoning, drainage, easement, and setback requirements.
2. The exemption under subparagraph 1. does not apply to work on a property that is partially or entirely located in a flood hazard area as defined by the Florida Building Code.
 3. To qualify for the exemption under subparagraph 1., the owner or the owner's contractor must submit a written request for exemption to the local enforcement agency with a copy of the contract or other documentation demonstrating the nature of the work to be performed.
 4. A local government has no legal duty to the owner, contractor, or successors or assigns thereof for work performed under this paragraph.

Add section 105.2.5 to read as follows:

If a retaining wall spans more than one lot or parcel, a local government that issues building permits must issue a permit for a retaining wall for the project as a whole and may not require a building permit for each lot or parcel upon which a retaining wall is installed on the property of a single-family or two-family residential dwelling or a townhouse.

Revise 105.3.4 to read as follows:

105.3.4 Building permit application to local government.

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

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

42.No change

Renumber remaining items accordingly

105.4 Conditions of the permit.

Add section 105.4.2 to read as follows:

A building permit issued by a local government for a single-family dwelling expires 1 year after the issuance of the permit or on the effective date of the next edition of the Florida Building Code, whichever is later. However, this paragraph does not prevent a local government from extending a building permit beyond the expiration date.