

Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Careers & Competition
2 Subcommittee

3 Representative Williamson offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (c) is added to subsection (4) of
8 section 125.56, Florida Statutes, to read:

9 125.56 Enforcement and amendment of the Florida Building
10 Code and the Florida Fire Prevention Code; inspection fees;
11 inspectors; etc.—

12 (4)

13 (c) Any county authorized under this section or s. 553.80
14 to issue fees shall post its permit and inspection fee schedules
15 and its inspection utilization report required under s.
16 553.80(7) on its website.

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17 Section 2. Section 166.222, Florida Statutes, is amended
18 to read:

19 166.222 Building code inspection fees.—

20 (1) The governing body of a municipality may provide a
21 schedule of reasonable inspection fees in order to defer the
22 costs of inspection and enforcement of the provisions of its
23 building code.

24 (2) The governing body of a municipality authorized under
25 s. 553.80 to issue fees shall post its permit and inspection fee
26 schedules and its inspection utilization report required under
27 s. 553.80(7) on its website.

28 Section 3. Subsection (7) of section 553.80, Florida
29 Statutes, is amended to read:

30 553.80 Enforcement.—

31 (7)(a) The governing bodies of local governments may
32 provide a schedule of reasonable fees, as authorized by s.
33 125.56(2) or s. 166.222 and this section, for enforcing this
34 part. These fees, and any fines or investment earnings related
35 to the fees, shall be used solely for carrying out the local
36 government's responsibilities in enforcing the Florida Building
37 Code. When providing a schedule of reasonable fees, the total
38 estimated annual revenue derived from fees, and the fines and
39 investment earnings related to the fees, may not exceed the
40 total estimated annual costs of allowable activities. Any
41 unexpended balances shall be carried forward to future years for

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42 allowable activities or shall be refunded at the discretion of
43 the local government. The basis for a fee structure for
44 allowable activities shall relate to the level of service
45 provided by the local government and shall include consideration
46 for refunding fees due to reduced services based on services
47 provided as prescribed by s. 553.791, but not provided by the
48 local government. Fees charged shall be consistently applied.

49 1.(a) As used in this subsection, the phrase "enforcing
50 the Florida Building Code" includes the direct costs and
51 reasonable indirect costs associated with review of building
52 plans, building inspections, reinspections, and building permit
53 processing; building code enforcement; and fire inspections
54 associated with new construction. The phrase may also include
55 training costs associated with the enforcement of the Florida
56 Building Code and enforcement action pertaining to unlicensed
57 contractor activity to the extent not funded by other user fees.

58 2.(b) The following activities may not be funded with fees
59 adopted for enforcing the Florida Building Code:

60 a.1. Planning and zoning or other general government
61 activities.

62 b.2. Inspections of public buildings for a reduced fee or
63 no fee.

64 c.3. Public information requests, community functions,
65 boards, and any program not directly related to enforcement of
66 the Florida Building Code.

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67 ~~d.4.~~ Enforcement and implementation of any other local
68 ordinance, excluding validly adopted local amendments to the
69 Florida Building Code and excluding any local ordinance directly
70 related to enforcing the Florida Building Code as defined in
71 subparagraph 1. ~~paragraph (a).~~

72 ~~3.(e)~~ A local government shall use recognized management,
73 accounting, and oversight practices to ensure that fees, fines,
74 and investment earnings generated under this subsection are
75 maintained and allocated or used solely for the purposes
76 described in subparagraph 1. ~~paragraph (a).~~

77 ~~4.(d)~~ The local enforcement agency, independent district,
78 or special district may not require at any time, including at
79 the time of application for a permit, the payment of any
80 additional fees, charges, or expenses associated with:

81 ~~a.1.~~ Providing proof of licensure pursuant to chapter 489;

82 ~~b.2.~~ Recording or filing a license issued pursuant to this
83 chapter; or

84 ~~c.3.~~ Providing, recording, or filing evidence of workers'
85 compensation insurance coverage as required by chapter 440.

86 (b) By December 31, 2019, the governing body of a local
87 government with a schedule of reasonable fees shall post its
88 building permit and inspection utilization report on its
89 website. The report shall be based on the information available
90 in the most recently completed financial audit. Before making
91 any adjustment to the fee schedule, the governing body of a

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92 local government shall amend its building permit and inspection
93 utilization report. The report shall include:

94 1. Direct and indirect costs incurred by the local
95 government to implement the Florida Building Code, including
96 costs related to the review of:

- 97 a. Building plans.
98 b. Building inspections.
99 c. Building reinspections.
100 d. Building permit processing.
101 e. Building code enforcement.

102 2. Number of building permits requested.

103 3. Number of building permits issued.

104 4. Number of building inspections and reinspections
105 conducted.

106 5. Number of personnel employed by the local government to
107 implement the Florida Building Code, issue building permits, and
108 conduct inspections.

109 6. Salary and related employee benefit costs incurred by
110 the local government to implement the Florida Building Code,
111 issue building permits, and conduct inspections.

112 7. Revenue derived from fees pursuant to s. 553.80(7).

113 8. Revenue derived from fines pursuant to s. 553.80(7).

114 9. Investment earnings derived from the local government's
115 investment of revenue derived from fees and fines pursuant to s.
116 533.80(7).

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117 10. Balances carried forward by the local government
118 pursuant to s. 553.80(7).

119 11. Balances refunded by the local government pursuant to
120 s. 553.80(7).

121 Section 4. This act shall take effect July 1, 2018.

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124 **T I T L E A M E N D M E N T**

125 Remove everything before the enacting clause and insert:

126 An act relating to permit fees; amending ss. 125.56
127 and 166.222, F.S.; requiring the governing body of a
128 county and of a municipality to post its permit and
129 inspection fee schedules and building permit and
130 inspection utilization report on its website; amending
131 s. 553.80, F.S.; requiring the governing body of a
132 local government to publish such report and post it on
133 its website; providing reporting requirements;
134 providing an effective date.