

Amendment No.

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WITHDRAWN _____ (Y/N)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: Government Accountability
2 Committee

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) The governing body of a county authorized under this
14 section or s. 553.80 to issue fees shall post its permit and
15 inspection fee schedules and its building permit and inspection
16 utilization report required under s. 553.80(7) on its website.

Amendment No.

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 building permit and inspection utilization
27 report required under 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

Amendment No.

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.

Amendment No.

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 that provides a schedule of 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. After December
91 31, 2019, the governing body of a local government that provides

Amendment No.

92 a schedule of fees shall update its building permit and
93 inspection utilization report on its website prior to making any
94 adjustments to the fee schedule. The report shall include:

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

98 a. Building plans.

99 b. Building inspections.

100 c. Building reinspections.

101 d. Building permit processing.

102 e. Building code enforcement.

103 2. Number of building permits requested.

104 3. Number of building permits issued.

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

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

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

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

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

Amendment No.

115 9. When applicable, investment earnings derived from the
116 local government's investment of revenue derived from fees and
117 finances pursuant to s. 533.80(7).

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

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

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

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

126 Remove everything before the enacting clause and insert:
127 An act relating to permit fees; amending ss. 125.56 and 166.222,
128 F.S.; requiring the governing bodies of counties and
129 municipalities to post their permit and inspection fee schedules
130 and building permit and inspection utilization reports on their
131 websites; amending s. 553.80, F.S.; requiring certain governing
132 bodies of local governments to post their building permit and
133 inspection utilization reports on their websites by a specified
134 date; providing reporting requirements; providing an effective
135 date.