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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/05/2018	.	
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Appropriations Subcommittee on Finance and Tax (Perry)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(4)



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

15 Section 2. Section 166.222, Florida Statutes, is amended to
16 read:

17 166.222 Building code inspection fees.—

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

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

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

28 553.80 Enforcement.—

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



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

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

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

58 ~~a.1.~~ Planning and zoning or other general government
59 activities.

60 ~~b.2.~~ Inspections of public buildings for a reduced fee or
61 no fee.

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

65 ~~d.4.~~ Enforcement and implementation of any other local
66 ordinance, excluding validly adopted local amendments to the
67 Florida Building Code and excluding any local ordinance directly
68 related to enforcing the Florida Building Code as defined in



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69 subparagraph 1 paragraph (a).

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

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

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

80 b.2. Recording or filing a license issued pursuant to this
81 chapter; or

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

84 (b) By December 31, 2019, the governing body of a local
85 government that provides a schedule of fees shall post its
86 building permit and inspection utilization report on its
87 website. The report shall be based on the information available
88 in the most recently completed financial audit. After December
89 31, 2019, the governing body of a local government that provides
90 a schedule of fees shall update its building permit and
91 inspection utilization report on its website prior to making any
92 adjustments to the fee schedule. The report shall include:

93 1. Direct and indirect costs incurred by the local
94 government to enforce the Florida Building Code, including costs
95 related to:

96 a. The review of building plans.

97 b. Building inspections.



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98 c. Building reinspections.

99 d. Building permit processing.

100 e. Building code enforcement.

101 2. Number of building permits requested.

102 3. Number of building permits issued.

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

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

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

111 7. Revenue derived from fees pursuant to paragraph (a).

112 8. Revenue derived from fines pursuant to paragraph (a).

113 9. When applicable, investment earnings derived from the
114 local government's investment of revenue derived from fees and
115 fines pursuant to paragraph (a).

116 10. Balances carried forward by the local government
117 pursuant to paragraph (a).

118 11. Balances refunded by the local government pursuant to
119 paragraph (a).

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

121
122 ===== T I T L E A M E N D M E N T =====
123 And the title is amended as follows:

124 Delete everything before the enacting clause
125 and insert:

126 A bill to be entitled



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