Bill No. HB 635 (2022)

Amendment No. al

| | COMMITTEE/SUBCOMMI | ITEE 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| | WITHDRAWN | (Y/N) | |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 } | nearing bill: Regulatory Reform | |
| 2 | Subcommittee | | |
| 3 | Representative Maggard | offered the following: | |
| 4 | | | |
| 5 | Amendment to Amendr | ment (603615) by Representative Maggard | |
| 6 | (with title amendment) | | |
| 7 | Between lines 81 a | nd 82 of the amendment, insert: | |
| 8 | Section 1. Subsect | tion (25) is added to section 553.79, | |
| 9 | Florida Statutes, to rea | ad: | |
| 10 | 553.79 Permits; ap | oplications; issuance; inspections | |
| 11 | <u>(25)(a) A local lat</u> | w, ordinance, or regulation may not | |
| 12 | prohibit or otherwise re | estrict the ability of a private property | |
| 13 | <u>owner to obtain a build</u> | ing permit to demolish any single-family | |
| 14 | residential structure lo | ocated in a coastal high hazard area, | |
| 15 | moderate flood zone, or | special flood hazard area according to | |
| 16 | Flood Insurance Rate Mag | os produced by the Federal Emergency | |
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| 17 | Management Agency in support of the National Flood Insurance | | |
|------------------------------------|--|--|--|
| 18 | Program if the lowest finished floor elevation of such structure | | |
| 19 | is at or below base flood elevation as established by the | | |
| 20 | Florida Building Code, as amended, or a higher base flood | | |
| 21 | elevation as may be required by local ordinance, whichever is | | |
| 22 | higher, provided that such permit otherwise complies with all | | |
| 23 | applicable Florida Building Code and Florida Fire Prevention | | |
| 24 | Code and Life Safety Code requirements, including applicable | | |
| 25 | local amendments to such codes. | | |
| 26 | (b) An application for a demolition permit sought pursuant | | |
| 27 | to this subsection may only be reviewed administratively for | | |
| 28 | compliance with the Florida Building Code and the Florida Fire | | |
| 29 | Prevention Code and Life Safety Code, including local | | |
| 30 | amendments, and any regulations applicable to a similarly | | |
| 31 | situated parcel; such applications may not be subject to any | | |
| 32 | additional local land development regulations or a public | | |
| 33 | hearing. A local government may not penalize an owner for a | | |
| 34 | demolition that is in compliance with the demolition permit. | | |
| 35 | (c) In the event of a demolition, pursuant to a demolition | | |
| 36 | permit, a local government may not impose additional regulatory | | |
| 37 | or building requirements on the new single-family residential | | |
| 38 | structure constructed on the site of the demolished structure | | |
| 39 | that would not otherwise be applicable to a similarly situated, | | |
| 40 | vacant parcel. | | |
| 41 | (d) This subsection does not apply to any: | | |
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| 42 | 1. Structure designated on the National Register of | | |
|-------------------------------|--|--|--|
| 43 | Historic Places. | | |
| 44 | 2. Privately owned single-family residential structure | | |
| 45 | designated historic by a local, state, or federal governmental | | |
| 46 | agency on or before January 1, 2022. | | |
| 47 | 3. Privately owned single-family residential structure | | |
| 48 | designated historic by a local, state, or federal governmental | | |
| 49 | agency designated historic with the consent of its owner after | | |
| 50 | January 1, 2022. | | |
| 51 | | | |
| 52 | | | |
| 53 | TITLE AMENDMENT | | |
| 54 | Remove lines 119-128 of the amendment and insert: | | |
| 55 | An act relating to building permits; amending s. | | |
| 56 | 533.79, F.S.; requiring local building code | | |
| 57 | administrators or inspectors to provide certain | | |
| 58 | information to the local enforcing agency; requiring | | |
| 59 | local enforcement agencies that require substantive | | |
| 60 | changes to building plans to provide certain | | |
| 61 | information to the permitholder; providing that a | | |
| 62 | building code administrator, inspector, or plans | | |
| 63 | reviewer is subject to disciplinary action in certain | | |
| 64 | circumstances; prohibiting a local government from | | |
| 65 | prohibiting or restricting certain permits; providing | | |
| 66 | that local governments may only review certain | | |
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67 regulations for certain permits; providing exemptions;
68 amending s. 633.208, F.S.; requiring

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