A bill to be entitled
An act relating to building plan changes; amending s. 553.79, F.S.; prohibiting local building code administrators or inspectors and firesafety marshals or inspectors from making changes to certain building plans under specified circumstances; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) and subsection (2) of section 553.79, Florida Statutes, are amended to read:

553.79  Permits; applications; issuance; inspections.—
(1)(a) After the effective date of the Florida Building Code adopted as herein provided, it is unlawful for any person, firm, corporation, or governmental entity to construct, erect, alter, modify, repair, or demolish any building within the this state without first obtaining a permit therefor from the appropriate enforcing agency or from such persons as may, by appropriate resolution or regulation of the authorized state or local enforcing agency, be delegated authority to issue such permits, upon the payment of such reasonable fees adopted by the enforcing agency. The enforcing agency is empowered to revoke any such permit upon a determination by the agency that the...
construction, erection, alteration, modification, repair, or
demolition of the building for which the permit was issued is in
violation of, or does not conform with, the
provisions of the Florida Building Code. If whenever a permit
required under this section is denied or revoked because the
plan, or the construction, erection, alteration, modification,
repair, or demolition of a building, is found by the local
enforcing agency to not comply with the
Florida Building Code, the local enforcing agency shall identify
the specific plan or project features that do not comply with
the applicable codes, identify the specific code chapters and
sections upon which the finding is based, and provide this
information to the permit applicant. A plans reviewer, local or
building code administrator or inspector, or firesafety marshal
or inspector who is responsible for issuing a denial,
revocation, or modification request but fails to provide to the
permit applicant a reason for denying, revoking, or requesting a
modification, based on compliance with the Florida Building
Code, the Florida Fire Prevention Code and the Life Safety Code,
or local ordinance, is subject to disciplinary action against
his or her license pursuant to s. 468.621(1)(i). Installation,
replacement, removal, or metering of any load management control
device is exempt from and is shall not be subject to the permit
process and fees otherwise required by this section.

(2)(a) Except as provided in subsection (8), an enforcing
agency may not issue any permit for construction, erection, alteration, modification, repair, or demolition of any building or structure until the local building code administrator or inspector has reviewed the plans and specifications required by the Florida Building Code, or local amendment thereto, for such proposal and found that the plans comply to be in compliance with the Florida Building Code. If the local building code administrator or inspector finds that the plans do not comply with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

(b) In addition, An enforcing agency may not issue any permit for construction, erection, alteration, modification, repair, or demolition of any building or structure until the appropriate firesafety marshal or inspector certified under pursuant to s. 633.216 has reviewed the plans and specifications required by the Florida Building Code, or local amendment thereto, for such proposal and found that the plans comply with the Florida Fire Prevention Code and the Life Safety Code. If a firesafety marshal or inspector is required to approve the plans of a commercial building or structure, and such plans have
already been approved and sealed by the local building
department, the local building code administrator or inspector
and the firesafety marshal or inspector do not have the
discretionary authority to change the plans. Any building or
structure that which is not subject to a firesafety code is
shall not be required to have its plans reviewed by the
firesafety marshal or inspector. If a firesafety marshal or
inspector is not required to approve the plans of a commercial
or residential building or structure, and such plans have
already been approved and sealed by the local building
department, the local building code administrator or inspector
does not have the discretionary authority to change the plans.
Any building or structure that is exempt from the local building
permit process may not be required to have its plans reviewed by
the local building code administrator or inspector.

(c) Industrial construction on sites where design,
construction, and firesafety are supervised by appropriate
design and inspection professionals and which contain adequate
in-house fire departments and rescue squads is exempt, subject
to local government option, from review of plans and
inspections, providing owners certify that applicable codes and
standards have been met and supply appropriate approved drawings
to local building code administrators or inspectors and
firesafety marshals or inspectors.

(d) The enforcing agency shall issue a permit to
construct, erect, alter, modify, repair, or demolish any
building or structure when the plans and specifications for such
proposal comply with the Florida Building Code and the Florida
Fire Prevention Code and the Life Safety Code as determined by
the local authority in accordance with this chapter and chapter
633.

Section 2. This act shall take effect July 1, 2022.