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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2022	.	
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The Committee on Rules (Brodeur) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 129 - 287  
and insert:  
under the direct supervision of a certified building official.  
Proof of graduation with a related vocational degree or college degree or of verifiable work experience may be exchanged for the internship experience requirement year-for-year, but may reduce the requirement to no less than 1 year.

b. Has passed an examination administered by the International Code Council in the certification category sought.



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12 Such examination must be passed before beginning the internship  
13 certification program.

14 c. Has passed the principles and practice examination  
15 before completing the internship certification program.

16 d. Has passed a board-approved 40-hour code training course  
17 in the certification category sought before completing the  
18 internship certification program.

19 e. Has obtained a favorable recommendation from the  
20 supervising building official after completion of the internship  
21 certification program.

22 (7)

23 (c) The board shall provide for appropriate levels of  
24 provisional certificates and may issue these certificates with  
25 such special conditions or requirements ~~relating to the place of~~  
26 ~~employment of the person holding the certificate, the~~  
27 ~~supervision of such person on a consulting or advisory basis, or~~  
28 ~~other matters~~ as the board deems ~~may deem~~ necessary to protect  
29 the public safety and health. The board may not place a special  
30 condition or requirement on a provisional certificate with  
31 respect to the requirement of employment by a municipality,  
32 county, or other local governmental agency.

33 (d) A person may perform the duties of a plans examiner or  
34 building code inspector for 120 days if a provisional  
35 certificate application has been submitted if such person is  
36 under the direct supervision of a person licensed as a certified  
37 building code administrator under this part ~~who holds a standard~~  
38 ~~certification~~ and who has found such person qualified for a  
39 provisional certificate. Direct supervision and the  
40 determination of qualifications may also be provided by a



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41 building code administrator who holds a limited or provisional  
42 certificate in a county having a population of fewer than 75,000  
43 and in a municipality located within such county.

44 (10)

45 (b) The board shall by rule establish:

46 1. Reciprocity of certification with any other state that  
47 requires an examination administered by the International Code  
48 Council.

49 2. That an applicant for certification as a building code  
50 inspector or plans examiner may apply for a provisional  
51 certificate valid for the duration of the internship period.

52 3. That partial completion of an internship program is  
53 transferable among jurisdictions, private providers, and firms  
54 of private providers ~~may be transferred between jurisdictions~~ on  
55 a form prescribed by the board.

56 4. That an applicant may apply for a standard certificate  
57 on a form prescribed by the board upon successful completion of  
58 an internship certification program.

59 5. That an applicant may apply for a standard certificate  
60 at least 30 days but ~~and~~ no more than 60 days before completing  
61 the internship certification program.

62 6. That a building code inspector or plans examiner who has  
63 standard certification may seek an additional certification in  
64 another category by completing an additional nonconcurrent 1-  
65 year internship program in the certification category sought and  
66 passing an examination administered by the International Code  
67 Council and a board-approved 40-hour code training course.

68 Section 3. Subsection (25) is added to section 553.79,  
69 Florida Statutes, to read:



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70           553.79 Permits; applications; issuance; inspections.-  
71           (25) (a) A local law, ordinance, or regulation may not  
72 prohibit or otherwise restrict the ability of a private property  
73 owner to obtain a building permit to demolish any single-family  
74 residential structure located in a coastal high hazard area,  
75 moderate flood zone, or special flood hazard area according to  
76 Flood Insurance Rate Maps produced by the Federal Emergency  
77 Management Agency in support of the National Flood Insurance  
78 Program if the lowest finished floor elevation of such structure  
79 is at or below base flood elevation as established by the  
80 Florida Building Code, as amended, or a higher base flood  
81 elevation as may be required by local ordinance, whichever is  
82 higher, provided that such permit otherwise complies with all  
83 applicable Florida Building Code requirements.

84           (b) Demolition permits sought pursuant to this subsection  
85 may be reviewed only administratively for compliance with the  
86 Florida Building Code and may not be subject to any additional  
87 land development regulations or a public hearing as a requisite  
88 to issuance. In the event of such demolition, a local government  
89 may not impose additional regulatory requirements on the new  
90 single-family residential structure constructed in place of the  
91 demolished structure which would not otherwise be applicable to  
92 a similarly situated, vacant parcel; nor may the local  
93 government otherwise penalize the owner for such demolition.

94           (c) This subsection does not apply to any structure  
95 designated on the National Register of Historic Places; to any  
96 privately owned single-family residential structure designated  
97 historic by a local, state, or federal governmental agency on or  
98 before January 1, 2022; or to any privately owned single-family



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99 residential structure designated historic with the consent of  
100 its owner subsequent to such date.

101 Section 4. Paragraph (b) of subsection (2) and subsection  
102 (13) of section 553.791, Florida Statutes, are amended, and  
103 paragraph (c) is added to subsection (2) of that section, to  
104 read:

105 553.791 Alternative plans review and inspection.—

106 (2)

107 (b) If an owner or contractor retains a private provider  
108 for purposes of plans review or building inspection services,  
109 the local jurisdiction must reduce the permit fee by the amount  
110 of cost savings realized by the local enforcement agency for not  
111 having to perform such services. Such reduction may be  
112 calculated on a flat fee or percentage basis, or any other  
113 reasonable means by which a local enforcement agency assesses  
114 the cost for its plans review or inspection services. The local  
115 jurisdiction may not charge fees for building inspections if the  
116 fee owner or contractor hires a private provider to perform such  
117 services; however, the local jurisdiction may charge a  
118 reasonable administrative fee, which shall be based on the cost  
119 that is actually incurred, including the labor cost of the  
120 personnel providing the service, by the local jurisdiction or  
121 attributable to the local jurisdiction for the clerical and  
122 supervisory assistance required, or both.

123 (c) If an owner or a contractor retains a private provider  
124 for purposes of plans review or building inspection services,  
125 the local jurisdiction must provide equal access to all  
126 permitting and inspection documents and reports to the private  
127 provider, owner, and contractor if such access is provided by



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128 software that protects exempt records from disclosure.  
129       (13) (a) ~~No more than 2 business days~~ After receipt of a  
130 request for a certificate of occupancy or certificate of  
131 completion and the applicant's presentation of a certificate of  
132 compliance or upon and approval of all other government  
133 approvals required by law, and after the completion of the local  
134 building official's review of all compliance documents and the  
135 payment of all outstanding fees, the local building official  
136 shall issue the certificate of occupancy or certificate of  
137 completion or provide a notice to the applicant identifying the  
138 specific deficiencies, as well as the specific code chapters and  
139 sections, no later than:  
140       1. Two business days for permits related to single-family  
141 or two-family dwellings.  
142       2. Ten business days for all other permits.  
143       (b) If the local building official does not provide notice  
144 of the deficiencies within the applicable ~~prescribed 2-day~~  
145 period under subparagraph (a)1. or subparagraph (a)2., the  
146 request for a certificate of occupancy or certificate of  
147 completion is automatically ~~shall be deemed~~ granted and deemed  
148 ~~the certificate of occupancy or certificate of completion shall~~  
149 ~~be issued as of by the local building official on the next~~  
150 business day. The local building official must provide the  
151 applicant with the written certificate of occupancy or  
152 certificate of completion within 10 days after it is  
153 automatically granted and issued. To resolve any identified  
154 deficiencies, the applicant may elect to dispute the  
155 deficiencies pursuant to subsection (14) or to submit a  
156 corrected request for a certificate of occupancy or certificate



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157 of completion.

158

159 ===== T I T L E A M E N D M E N T =====

160 And the title is amended as follows:

161 Delete lines 28 - 38

162 and insert:

163 jurisdiction to provide equal access under certain  
164 circumstances to certain documents to a private  
165 provider, owner, and contractor; revising conditions  
166 that must be met before a local building official must  
167 issue a certificate of occupancy, a certificate of  
168 completion, or a certain notice; revising the  
169 timeframe for issuing such certificate or notice for  
170 certain permits; providing that a certificate of  
171 occupancy or certificate of completion is  
172 automatically granted and issued under certain  
173 circumstances; requiring the local building official  
174 to provide a written certificate of occupancy or  
175 certificate of completion within a specified timeframe  
176 after such certificate is automatically granted and  
177 issued; providing an effective date.