

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/CS/HB 1071](#)

TITLE: Alternative Plans Reviews and Inspections

SPONSOR(S): Benarroch

COMPANION BILL: [CS/SB 1134](#) (Calatayud)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Industries & Professional
Activities](#)

16 Y, 0 N, As CS



[Intergovernmental Affairs](#)

16 Y, 0 N, As CS



[Commerce](#)

SUMMARY

Effect of the Bill:

The bill amends a private provider's alternative plans review and inspection by:

- Revising the definition of "single-trade inspection" to include plans review and explicitly include solar energy and energy storage installations or alterations in the definition, thereby clarifying that such work may be inspected by a private provider.
- Allows the use of private providers for the inspection of work related to a single-trade inspection for a single-family or two-family dwelling after work has commenced.
- Specifying that a private provider may use an automated or software plans review program to determine if single-trade plans comply with the applicable building codes.
 - The software must be designed to determine compliance with one or more applicable codes, including, but not limited to, the National Electrical Code and the Florida Building Code.
- Reducing the time-period for a local building department to issue a permit from 20 business days to two business days if the application is related to a single-trade plans review for a single-family or two-family dwelling.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on local governments and the private sector.

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ANALYSIS

EFFECT OF THE BILL:

The bill revises the definition of "[single-trade inspection](#)" to include [plans review](#). The bill explicitly includes solar energy and energy storage installations or alterations as an applicable single construction trade. (Section [1](#))

The bill clarifies that an owner or contractor's [notice of intent](#) to use a [private provider](#) after construction has commenced may specify whether any scheduled inspection will be conducted in person or virtually. (Section [1](#))

The bill allows the use of a private provider for the inspection of work related to a single-trade inspection of a single-family or two-family dwelling after work on the project has commenced, regardless if the local building official is able to provide inspection services within a timely manner. (Section [1](#))

The bill provides that a private provider may use an [automated or software plans review program](#) to determine if single-trade plans comply with the [applicable building codes](#)¹. The software must be designed to determine compliance with one or more applicable codes, including, but not limited to, the National Electrical Code and the

¹ "Applicable codes" means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and fire safety codes adopted pursuant to chapter 633. S.

[553.791\(1\)\(a\), F.S.](#)

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Florida Building Code. The bill revises the required contents of a permit application to include plans reviewed by such software. (Section [1](#))

The bill reduces the time period for a local building department to issue a [building permit](#) for applications reviewed by private providers and related to a single-trade plans review for a single-family or two-family dwelling from 20 business days to two business days. (Section [1](#)).

The bill provides an effective date of July 1, 2025. (Section [2](#)).

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The bill may have an indeterminate fiscal impact on local governments by requiring them to hire more employees to meet the reduced time-period to issue certain building permits.

PRIVATE SECTOR:

The bill may have a positive economic impact by reducing construction time as a result of reducing the time-period to receive certain building permit. The bill may have an indeterminate fiscal impact if local governments must raise building permit fees in order to hire additional employees to meet the reduced-time period to issue certain building permits.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Florida Building Code](#)

Chapter 553, part IV, F.S., is known as the “Florida Building Codes Act” (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Florida Building Code must be applied, administered, and enforced uniformly and consistently throughout the state.²

Local governments may adopt amendments to the Building Code that are more stringent than the Florida Building Code, which are limited to the local government’s jurisdiction.³

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public’s health, safety, and welfare.⁴ Every local government must enforce the Florida Building Code and issue building permits.⁵ A [building permit](#) is an official document or certificate issued by the local building official that authorizes performance of a specific activity.⁶

[Private Providers](#)

In 2002, [s. 553.791, F.S.](#) was created to allow property owners and contractors to hire licensed building code officials, engineers, and architects, referred to as private providers, to review building plans, perform building inspections, and prepare certificates of completion.

Private providers and their duly authorized representatives are able to approve building plans and perform building code inspections as long as the plans approval and building inspections are within the scope of the provider’s or representative’s license.

² S. [553.72\(1\), F.S.](#)

³ S. [553.73\(4\), F.S.](#)

⁴ S. [553.72, F.S.](#)

⁵ Ss. [125.01\(1\)\(bb\)](#), [125.56\(1\)](#), and [553.80\(1\), F.S.](#)

⁶ S. [468.603\(2\)](#), F.S; [S. 202 of the Eighth edition of the Florida Building Code \(Building\)](#).

A “private provider” is defined as a person licensed as a building official, engineer, or architect. Additionally, the term includes licensed building inspectors and plans examiners who perform inspections for additions and alterations that are limited to 1,000 square feet or less in residential buildings.⁷

A private provider and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification, including single-trade inspections.⁸

A [single-trade inspection](#) is an inspection focused on a single construction trade, such as plumbing, mechanical, or electrical. The term includes, but is not limited to:⁹

- Inspections of door or window replacements;
- Fences and block walls more than 6 feet high from the top of the wall to the bottom of the footing;
- Stucco or plastering;
- Reroofing with no structural alteration;
- HVAC replacements; ductwork or fan replacements;
- Alteration or installation of wiring, lighting, and service panels;
- Water heater changeouts;
- Sink replacements; and
- Repiping.

If an owner or contractor opts to use a private provider for purposes of plans review or building inspection services, the local government must calculate the cost savings to its building department and reduce the building permit fees accordingly.¹⁰ Additionally, a local government may not charge a fee for building inspections when an owner or contractor uses a private provider but may charge a reasonable administrative fee for the clerical and supervisory assistance required.¹¹

[Notice of Intent](#)

Current law specifies a process for an owner or contractor to notify the local government that the owner or contract hired a private provider to perform building code inspection services, including single-trade inspections. Such notice must be provided in writing at the time of permit application, or by 2 p.m. local time two business days before the first scheduled inspection by the local building official.¹²

After construction has commenced, and if the local building official is unable to provide inspection services in a timely manner, the owner or contractor may elect to use a private provider to provide inspection services by notifying the local building official by 2 p.m. local time two business days before the first scheduled inspection.¹³

A private provider performing required inspections must inspect each phase of construction as required by the applicable codes, and such inspection may be performed in-person or virtually.¹⁴

⁷ S. [553.791\(1\)\(n\), F.S.](#)

⁸ S. [553.791\(3\), F.S.](#)

⁹ S. [553.791\(1\)\(q\), F.S.](#)

¹⁰ “Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services.” S. [553.791\(2\)\(b\), F.S.](#)

¹¹ S. [553.791\(2\)\(b\), F.S.](#)

¹² S. [553.791\(4\), F.S.](#)

¹³ S. [553.791\(5\), F.S.](#)

¹⁴ S. [553.791\(8\), F.S.](#)

[Plans Review](#)

For plans review, a private provider must review the plans¹⁵ to determine compliance with the applicable codes¹⁶ and prepare an affidavit¹⁷ certifying, under oath, that the plans comply, and the private provider is duly authorized to perform plans review.¹⁸

Upon receipt of a building permit application and the required affidavit from the private provider, a building official has 20 business days to issue the permit or provide written notice of the plan deficiencies.¹⁹ If the local building official does not provide written notice of plan deficiencies within the prescribed 20-day period, the permit application shall be deemed approved and must be issued on the next business day.²⁰

If the building official provides a written notice of plan deficiencies, the 20-day period is tolled pending resolution of the matter.²¹ The law further allows the permit applicant to correct the deficiencies and also allows the permit applicant to dispute the deficiencies. If the permit applicant submits revisions, the building official has the remainder of the tolled 20-day period plus 5 business days from the date of resubmittal to issue the requested permit or to provide a second written notice of noncompliance with applicable code to the permit applicant.²² Any subsequent review by the building official is limited to the deficiencies cited in the written notice.

[Automated or Software-Based Plan Review Programs](#)

Current law does not specify whether an automated or software-plan review may be used by a private provider.

An automated or software-based plan review examines the building design against the applicable codes. A software-based review program uses a digital platform to review construction plans, which may include an automated plan review program. An automated plan review program uses artificial intelligence to determine whether a construction plan complies with the applicable codes. An automated plan review may streamline the permitting process, but may have drawbacks including gray areas of the code which need to be interpreted by a person, and codes are always changing which would require the program to stay up to date with the latest edition.²³

Currently, some Florida counties and cities are already using or are planning on using automated or software-based plan review system, including Altamonte Springs, Gainesville, and Pasco County.²⁴

OTHER RESOURCES:

Nawari Nawari, and Rob Christy, *Using AI to Review Construction Plans*, Kelley A. Bergstrom Real Estate Center at the UF Warrington College of Business (Nov. 14. 2024), [Using AI to Review Construction Plans | Due Diligence | UF Business](#) (last visited Mar. 14, 2025).

¹⁵ “Plans” means building plans, site engineering plans, or site plans, or their functional equivalent, submitted by a fee owner or fee owner’s contractor to a private provider or duly authorized representative for review. Section [553.791\(1\)\(m\), F.S.](#)

¹⁶ “Applicable codes” means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and fire safety codes adopted pursuant to ch. 633, F.S. S. [553.791\(1\)\(a\), F.S.](#)

¹⁷ The affidavit may bear a written or electronic signature and may be submitted electronically to the local building official.

¹⁸ S. [553.791\(6\), F.S.](#)

¹⁹ S. [553.791\(7\)\(a\), F.S.](#)

²⁰ *Id.*

²¹ S. [553.791\(7\)\(b\), F.S.](#)

²² S. [553.791\(7\)\(c\), F.S.](#)

²³ Michael Kilkelly, *Building Code Review Software: Feasible or Far-Fetched?*, Architect Magazine (Aug. 27, 2018) [www.architectmagazine.com/technology/building-code-review-software-feasible-or-far-fetched_o](#) (last visited Mar. 15, 2025).

²⁴ Nawari Nawari, and Rob Christy, *Using AI to Review Construction Plans*, Kelley A. Bergstrom Real Estate Center at the UF Warrington College of Business (Nov. 14. 2024) [Using AI to Review Construction Plans | Due Diligence | UF Business](#) (last visited Mar. 14, 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee	16 Y, 0 N, As CS	3/19/2025	Anstead	Brackett
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Provided that if an automated or software-based plans review program is used for a single-trade plans review, such program must be familiar with the Florida Building Code and any local amendments. 			
Intergovernmental Affairs Subcommittee	16 Y, 0 N, As CS	4/1/2025	Darden	Burgess
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Authorized the use of private providers for inspection services for work related to a single-trade inspection of a single-family or two-family dwelling. • Reduced the change in time period for the issuance of a building permit for applications reviewed by private providers and related to a single-trade plans review for a single-family or two-family dwelling from five business days to two business days. • Revised the required contents of a permit application to include the use of automated plans review. 			
Commerce Committee			Hamon	Brackett

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
