

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

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BILL #: [CS/CS/HB 551](#)

TITLE: Fire Prevention

SPONSOR(S): Borrero

COMPANION BILL: [CS/CS/CS/SB 1078](#) (McClain)

LINKED BILLS: None

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 112 Y's

2 N's

GOVERNOR'S ACTION: Pending

SUMMARY

Effect of the Bill:

The bill expands the types of fire alarm system projects eligible for the simplified building permit process. The bill requires local governments to:

- issue simplified building permits within a certain period;
- perform an inspection within a certain period of receiving a request;
- establish a simplified permitting process by a certain date; and
- refund permit fees when they fail to meet statutory deadlines.

The bill repeals the requirement for local governments to perform at least one inspection for simplified building permit projects. The bill allows contractors to start work immediately after submitting a completed simplified building permit application, and requires them to submit requested information within a certain time-period.

The bill states that a county or municipality may only enforce an ordinance providing for a local amendment to the Florida Fire Prevention Code if the ordinance was transmitted before the date the permit was submitted.

The bill amends the items required to be in an inspection report for a fire hydrant or fire protection system.

Fiscal or Economic Impact:

The bill may have a positive fiscal impact on contractors who use the simplified permitting process by allowing them to start work immediately after submitting a completed application. It is unknown if the bill will have an economic impact on local governments.

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ANALYSIS

EFFECT OF THE BILL:

[Simplified Permitting Processes](#)

The bill redefines "[fire alarm system project](#)" to include replacing an existing [fire alarm panel](#) with the same make and model, which will make such projects eligible for the simplified building permit process. (Section [1](#))

The bill defines the term "alteration" which was previously undefined. The bill defines "[alteration](#)" as to "add, install, relocate, replace, or remove." (Section [1](#))

The bill provides that a [local enforcement agency](#) must issue a [building permit](#) for an eligible fire alarm or [fire sprinkler project](#) within two (2) business days of the completed application being submitted. A contractor may begin work immediately after submitting the completed application. (Section [1](#))

The bill repeals the requirement that a local enforcement agency must perform at least one inspection of the fire alarm system or fire sprinkler system project. However, if an inspection is requested from a local enforcement agency, it must perform an inspection within three (3) business days. (Section [1](#))

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The bill provides that if a local enforcement agency needs additional documentation for recording purposes, the contractor must provide the requested documentation within four (4) business days after the local enforcement agency's inspection or 4 days after the request, whichever is later. However, a local enforcement agency may not require a contractor to provide additional documents or plans reviews that are outside the scope of the permitted work needed on the permit application. (Section [1](#))

The bill requires local governments to **refund** their building permit fees by 10 percent for each business day that they fail to meet the deadline to issue a permit or perform an inspection for a simplified permitting process fire alarm system or fire sprinkler project unless:

- The parties agree in writing to a reasonable extension;
- The delay is caused by the permit applicant; or
- The delay is attributable to a force majeure or other extraordinary circumstance.

Each 10 percent refund is based on the original amount of the permit fee. (Section [1](#))

The bill requires local enforcement agencies to establish a simplified permitting process by October 1, 2025. (Section [1](#))

[Local Amendments to the Florida Fire Prevention Code](#)

The bill provides that a county or municipality may only enforce an ordinance providing for a [local amendment](#) to the Florida Fire Prevention Code if the ordinance was transmitted to the [Florida Building Commission and the State Fire Marshal](#) as of the date that the permit was submitted. (Section [2](#))

[Fire Hydrant and Fire Protection System Inspections](#)

The bill provides that the [uniform summary inspection report](#) must list the total number of deficiencies discovered, separated into critical and noncritical categories, with a brief description of impairment deficiencies found during the inspection instead of a brief summary of each deficiency or impairment. (Section [3](#))

The bill provides that contractor's detailed inspector report shall also be provided, but is not required to follow the uniform summary inspection report format. (Section [3](#))

The bill also removes the requirement that the procedure to submit summary inspection reports to a local authority may require a contractor to submit information contained in their detailed inspection report. (Section [3](#))

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2025. (Section [4](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Simplified Permitting Process](#)

Standard Building Permit Process

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.¹ Every local government must enforce the Florida Building Code and issue building permits.² A [building permit](#) is an official document or certificate issued by the local building official that authorizes performance of a specific activity.³

¹ S. [553.72, F.S.](#)

² Ss. [125.01\(1\)\(bb\)](#), [125.56\(1\)](#), and [553.80\(1\), F.S.](#)

³ S. [468.603\(2\)](#), F.S.; [S. 202 of the Eighth edition of the Florida Building Code \(Building\)](#).

Current law requires local governments to review alarm, electrical, plumbing, and mechanical building permit applications within a specific time-period of receiving the applications.⁴ When a local government receives an application for one of these types of building permits, it must approve, approve with conditions, or deny a building permit application following receipt of a completed and sufficient application unless the applicant waives such limitation in writing:⁵

- Within 30 business days if the structure is less than 7,500 square feet.
- Within 60 business days if the structure is more than 7,500 square feet.

If a local government fails to meet one of the deadlines, it must reduce the building permit fee by ten (10) percent for each business day that it fails to meet the deadline, unless:⁶

- the parties agree to an extension of time;
- the delay is caused by the applicant; or
- the delay is attributable to a force majeure or other extraordinary circumstances.

Each ten (10) percent reduction is based on the original amount of the building permit fee.⁷

Simplified Building Permit Process

Section [553.7932, F.S.](#), provides an expedited permitting process for certain fire alarm system projects and fire sprinkler projects. The process removes the time required to review plans prior to starting work.

The law prohibits a local enforcement agency from requiring a contractor to submit building plans or specifications in order to obtain a permit for a fire alarm system or fire sprinkler project, but a local enforcement agency is still authorized to require a contractor to submit a completed application and a payment for such permit.⁸

For the purpose of the simplified permitting process, a “[fire alarm system project](#)” is defined as a fire alarm system [alteration](#) of a total of 20 or fewer initiating devices and notification devices, or the installation or replacement of a fire communicator connected to an existing fire alarm control panel in an existing commercial, residential, apartment, cooperative, or condominium building.⁹

A “[fire sprinkler system project](#)” is defined as a fire protection system [alteration](#) of a total of 20 or fewer fire sprinklers in which the sprinklers are of the same K-factor and located in spaces where there is no change of hazard classification or increased system coverage area, or the installation or replacement of an equivalent fire sprinkler system component in an existing commercial, residential, apartment, cooperative, or condominium building.¹⁰

The term “alteration” is not defined.¹¹

A local enforcement agency must require at least one inspection of a fire alarm system or fire sprinkler project to ensure the work complies with the applicable codes and standards. If a project fails an inspection, the contractor must take corrective action as necessary to pass inspection.¹²

The contractor must keep a copy of the plans and specifications at the worksite, and make them available to the inspector at each inspection.¹³

⁴ S. [553.792\(1\), F.S.](#)

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ S. [553.7932\(2\), F.S.](#)

⁹ S. [553.7932\(1\), F.S.](#)

¹⁰ *Id.*

¹¹ See s. [553.7932, F.S.](#)

¹² S. [553.7932\(4\), F.S.](#)

¹³ S. [553.7932\(5\), F.S.](#)

The simplified permitting process does not require local enforcement agencies to issue a permit within a certain time period.

Fire Alarm Panel

A [“fire alarm panel”](#) or “control unit” serves as the brain of a fire alarm system. It monitors all the inputs, i.e. smoke or heat detection, into the system and controls all of the outputs, i.e. alarms.¹⁴

[Local Amendments to the Florida Fire Prevention Code](#)

Florida Fire Prevention Code

Chapter 633, F.S., is Florida’s fire prevention and control law, and it designates the state’s Chief Financial Officer as the State Fire Marshal. The State Fire Marshal, through the Division of State Fire Marshal within the Department of Financial Services (DFS), is charged with enforcing the provisions of ch. 633, F.S., and all other applicable laws relating to fire safety.¹⁵

Pursuant to this authority, the State Fire Marshal regulates, trains, and certifies fire service personnel and fire safety inspectors.

The State Fire Marshal also adopts by rule the Florida Fire Prevention Code (Fire Code), which contains all fire safety laws and rules that pertain to the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities.¹⁶

State law requires all municipalities, counties, and special districts with fire safety responsibilities to enforce the Fire Code as the minimum fire prevention code. These local enforcing authorities may adopt more stringent fire safety standards, subject to certain requirements, but may not enact fire safety ordinances that conflict with ch. 633, F.S., or any other state law.¹⁷

The chiefs of local government fire service providers (or their designees) are authorized to enforce ch. 633, F.S., and rules within their respective jurisdictions as agents of those jurisdictions, not agents of the State Fire Marshal.¹⁸

Each county, municipality, and special district with fire safety enforcement responsibilities is also required to employ or contract with a fire safety inspector who is certified by the State Fire Marshal to conduct all fire safety inspections required by law.¹⁹

[Local Amendments to the Florida Fire Prevention Code](#)

Counties, municipalities, and special districts may adopt more stringent safety standards by:²⁰

- Holding a public meeting that has been advertised in a newspaper of general circulation at least 10 days before the hearing;
- Deciding after the meeting that there is a need to strengthen the Fire Code.
 - The determination must be based upon a review of the local conditions by the local governing body, which demonstrates that local conditions require the more stringent standards.
- Providing a procedure allowing substantially affected parties to challenge the validity of such standards.
 - A challenging party is entitled to a hearing within 45 days and has the burden of proof.

¹⁴ Shawn Mahoney, *A Guide to Fire Alarm Basics*, NFPA, (March 3, 2021) <https://www.nfpa.org/news-blogs-and-articles/blogs/2021/03/03/a-guide-to-fire-alarm-basics> (last visited March 7, 2024).

¹⁵ S. [633.104, F.S.](#)

¹⁶ S. [633.202, F.S.](#)

¹⁷ Ss. [633.108](#), [633.208](#), and [633.214, F.S.](#)

¹⁸ S. [633.118, F.S.](#)

¹⁹ S. [633.216\(1\), F.S.](#)

²⁰ Ss. [633.202](#), and [633.208, F.S.](#)

- Sending the amendment to the [State Fire Marshal and the Florida Building Commission](#) within 30 days of adopting the amendment.

[Fire Hydrant and Fire Protection System Inspections](#)

The State Fire Marshal has the right to inspect any fire hydrants or fire protection systems in order to determine that such system meets the standards set forth by the state. Inspections may also be conducted by independent contractors.²¹

Any person who wishes to inspect fire hydrants or fire protection systems must have a fire protection system's contractor license issued by the State Fire Marshal.²²

If a fire protection system contractor inspects a fire hydrant or a fire protection system, the contractor must use a [uniform summary inspection report](#) adopted by the State Fire Marshall. A contractor must provide a copy of the summary inspection report to the local authority and the building owner or hydrant owner. An inspector also completes a detailed report in addition to the uniform summary inspection report.²³

The uniform summary inspection report must include the:²⁴

- Address where the fire protection system or hydrant is located;
- Company and person conducting the inspection and their license number;
- Date of the inspection; and
- Fire protection system or hydrant inspection status, **including a brief summary of all the deficiencies discovered during the inspection including:**
 - Deficiency.
 - Critical deficiency.
 - Noncritical deficiency; or
 - Impairment.

The State Fire Marshal must adopt rules for contractors to submit uniform summary inspection reports to local governments. The procedures must allow a contractor to attach additional documents with the uniform summary inspection report, including a physical copy of the contractor's detailed inspection report. However, a submission procedure **may not** require a contractor to submit information contained within the detailed inspection report **unless the information is required to be included in the uniform summary inspection report.**²⁵

²¹ S. [633.312, F.S.](#)

²² Ss. [633.312](#) and [633.318, F.S.](#)

²³ S. [633.312\(3\), F.S.](#)

²⁴ S. [633.312\(3\)\(b\), F.S.](#)

²⁵ *Id.*