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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2026	.	
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The Committee on Judiciary (Massullo) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 163.3169, Florida Statutes, is created
to read:

163.3169 Using qualified contractors in development order
preapplication review.-

(1) LEGISLATIVE FINDINGS.-

(a) The Legislature recognizes the need for continued
growth throughout the state, and the need for an efficient



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12 permitting process to accommodate such growth, while balancing
13 the role of local governments in community planning.

14 (b) The Legislature further recognizes that numerous local
15 governments implement innovative planning and development
16 strategies by using the private sector to supplement the needs
17 of government and to keep pace with increasing populations,
18 unmet demands for housing, and continuing budget constraints. To
19 continue meeting future growth demands, all local governments
20 shall use all available resources to ensure that private
21 property owners seeking to build or develop the next generation
22 of this state's housing supply are not burdened by limited local
23 government workforces and can by right use a qualified
24 contractor from the private sector to responsibly review
25 applications as submitted and authorized under this section.

26 (2) DEFINITIONS.—As used in this section, the term:

27 (a) "Applicant" means a person or legal entity having a
28 legal or equitable ownership interest in real property, or an
29 authorized agent acting on behalf of such person or entity, who
30 applies for a land development approval from the local
31 government pursuant to this section.

32 (b) "Application" means a properly completed and submitted
33 request for a permit as defined herein, on behalf of an
34 applicant, which includes an affidavit from a qualified
35 contractor as required by this section. The term does not
36 include plans or permits as reviewed under s. 553.791.

37 (c) "Audit" means a limited, post-submittal verification
38 process conducted solely to confirm that a qualified
39 contractor's preapplication review supports the findings in the
40 required affidavit, demonstrates that the review was performed



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41 in accordance with the normal and customary professional
42 practices for the applicable discipline, and that the
43 affidavit's findings are supported by the application.

44 (d) "Development services office" means the entity, office,
45 division, or department of a local government which is
46 responsible for reviewing applications for compliance with the
47 local government's land development regulations and other
48 applicable federal, state, and local requirements. This office
49 may be substantively identical to or housed within the local
50 government's planning and zoning department.

51 (e) "Development services official" means the individual in
52 the development services office of the governing jurisdiction
53 who is responsible for the direct regulatory administration or
54 supervision of the review and approval process required to
55 indicate compliance with applicable land development
56 regulations. The term includes any duly authorized designee of
57 such person. This individual may be the executive director of
58 the governing body of a local government or the division
59 director of the local government's planning and zoning
60 department.

61 (f) "Final plat" has the same meaning as in s. 177.073.

62 (g) "Governing body" has the same meaning as in s.
63 163.3164.

64 (h) "Land development regulations" has the same meaning as
65 in s. 163.3164(26), but excludes building permits and plans
66 subject to s 553.791.

67 (i) "Local government" means:

68 1. A county that has 25,000 or more residents, but does not
69 include a county subject to s. 380.0552;



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70 2. A municipality that has 10,000 or more residents; or
71 3. An independent district created pursuant to chapter 189
72 or chapter 190 with authority over land development regulations.

73 (j) "Permit" means an authorization, approval, or grant by
74 a local governing body or development services office that
75 authorizes the development of land as set forth therein for any
76 subdivision approval, plat approval, or site plan approval. For
77 the purposes of this section, a permit does not include the
78 review and approval of discretionary land use decisions, such as
79 rezonings, variances, special exceptions, conditional uses,
80 comprehensive plan amendment, or any other quasi-judicial land
81 use approval requiring a public hearing or findings supported by
82 competent substantial evidence.

83 (k) "Plans" means site engineering plans or site plans, or
84 their functional equivalent, submitted by an applicant to a
85 qualified contractor or duly authorized representative for
86 review.

87 (l) "Preapplication review" means the analysis of a permit
88 conducted by a qualified contractor to ensure compliance with a
89 comprehensive plan, chapter 177, and applicable land development
90 regulations, and which is part of the application as authorized
91 under this section.

92 (m) "Preliminary plat" means a map or delineated
93 representation of the subdivision of lands which is a complete
94 and exact representation of the residential subdivision or
95 planned community, and contains any additional information
96 needed to comply with the requirements of chapter 177.

97 (n) "Qualified contractor" means the individual or firm
98 contracted with a development services office or local



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99 government to conduct a preapplication review, and who is
100 included in the registry as required by this section. The term
101 includes, but is not limited to, any of the following:

102 1. An engineer or engineering firm licensed under chapter
103 471.

104 2. A surveyor or mapper, or a surveyor's or mapper's firm
105 licensed under chapter 472.

106 3. An architect or architecture firm licensed under part I
107 of chapter 481.

108 4. A landscape architect or a landscape architecture firm
109 registered under part II of chapter 481.

110 5. A planner certified by the American Institute of
111 Certified Planners.

112 6. A local government employee for the limited purposes of
113 compliance with subsection (4)(c).

114 (o) "Single-trade review" means any review focused on a
115 single component of an application, such as engineering,
116 surveying, planning, or architectural.

117 (3) REQUIREMENTS.—

118 (a) By January 1, 2027, the governing body of a local
119 government shall create a program by which a development
120 services office shall authorize an applicant to use a qualified
121 contractor to conduct a preapplication review of any permits
122 submitted in an application. The governing body must establish
123 the processes by which an applicant may submit an application to
124 the local government, following a preapplication review
125 conducted by a qualified contractor. The program must specify,
126 at a minimum, all of the following:

127 1. The manner in which the development services office



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128 enters into a contract with a qualified contractor.

129 2. Minimum requirements for selection as a qualified
130 contractor for the program, including verification of current
131 licensure or certification status and review of any adverse
132 actions, discipline, or restrictions imposed by the applicable
133 professional licensing board. A local government may consider or
134 require as criteria for selection or qualification a minimum of
135 5 years of experience for qualified contractors, but may not
136 consider or require for selection or qualification geographic
137 location or any prior or existing work for or with the local
138 government.

139 3. The minimum and maximum hourly rates that a qualified
140 contractor may charge an applicant, comparable to market
141 averages, as part of the application fee.

142 4. Other necessary and indispensable procedural
143 requirements to implement this section, such as requirements
144 relating to intake, payment, recordkeeping, and notice
145 processes.

146 (b) Additional requirements may not conflict with or impair
147 the intent of this section; may not add to, modify, limit, or
148 condition the rights, duties, standards, scope, qualifications,
149 or effects established by this section; and may not impose any
150 substantive review criteria, terms, or conditions on applicants
151 or qualified contractors.

152 (c) The program must require a local government to deem an
153 application that meets the requirements of this section
154 administratively complete for purposes of acceptance and
155 processing.

156 (d) The program may not impose additional terms,



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157 conditions, or duplicative review processes with respect to the
158 preapplication review for an application that meets the
159 requirements of this section. However, the program may allow for
160 the review of ownership authorizations for the development of
161 the property.

162 (e) This section may not be construed to waive, limit, or
163 otherwise affect any requirement of the Consultants' Competitive
164 Negotiation Act pursuant to s. 287.055 or a local government's
165 duly adopted procurement process.

166 (4) REGISTRY.-

167 (a) The development services office of a local government
168 shall establish a registry of at least six qualified
169 contractors. If the minimum requirements for the qualified
170 contractor specified in subparagraph (3)(a)2. are met, the
171 development services office may add a qualified contractor to
172 the registry upon such entity's request to be added to the
173 registry.

174 (b) If, after making reasonable efforts, less than six
175 qualified contractors are available to be added to the registry,
176 or if less than three qualified contractors are available for
177 local governments serving populations of less than 10,000, the
178 development services office must register any willing and
179 available qualified contractor that meets the requirements of
180 subparagraph (3)(a)2.

181 (c) The local government may enter into an agreement with
182 another local government for the purpose of using public
183 employees who meet the requirements for a qualified contractor
184 to complete the preapplication review. A local government may
185 not add its own employees to its own registry.



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186 (d) A local government shall adopt and use standard
187 contract terms and conditions for agreements with qualified
188 contractors which are substantially similar in form and
189 substance to the local government's standard professional
190 services agreements used for materially similar engagements with
191 private sector providers. A local government may not draft or
192 apply contractual terms that impose obligations on qualified
193 contractors which frustrate, impair, or defeat the legislative
194 intent of this section.

195 (5) SELECTION OF A QUALIFIED CONTRACTOR OF APPLICANT'S
196 CHOICE.—

197 (a) If any of the following conditions exists, an applicant
198 who elects to participate in the program must have the
199 unconditional right to use a qualified contractor of his or her
200 choice, as long as the qualified contractor satisfies the
201 minimum requirements in subparagraph (3) (a)2., for
202 preapplication review:

203 1. The governing body of a local government fails to create
204 the program pursuant to subsection (3) before January 1, 2027.

205 2. The development services office of the local government
206 fails to create the registry as required pursuant to subsection
207 (4).

208 3. The registry created pursuant to subsection (4) does not
209 consist of the requisite number of qualified contractors and the
210 local government has not complied with the requirements of
211 subparagraph (4) (b).

212 (b) The local government may not condition, deny, delay, or
213 otherwise contest the applicant's selection or use of the
214 qualified contractor, except upon a written determination



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215 supported on specific, articulable facts stating that the
216 qualified contractor does not meet the requirements of this
217 section, or that the qualified contractor has a conflict of
218 interest with the applicant, as defined in s. 112.312, or under
219 any stricter conflict of interest standards applicable to the
220 qualified contractor's professional license or certification.

221 (6) PAYMENT, FEES, AND PREAPPLICATION REVIEW.—

222 (a) The applicant shall have sole discretion to choose a
223 qualified contractor from the established registry under
224 subsection (4) to conduct a preapplication review of a permit.
225 The applicant may not pay the qualified contractor directly.
226 Such payment must be made to the local government with the
227 initial submission of the application. The local government must
228 ensure the qualified contractor is paid in compliance with the
229 Local Government Prompt Payment Act under part VII of chapter
230 218.

231 (b) If an applicant uses a qualified contractor for the
232 purposes of conducting a preapplication review, the local
233 government must reduce any application fee by the amount of cost
234 savings realized by the development services office for not
235 having to perform such services. Such reduction may be
236 calculated on a flat fee or percentage basis, or any other
237 reasonable means by which a development services office assesses
238 the cost for its application review. The reduction in the
239 application fee does not relieve the applicant of responsibility
240 for payment of the qualified contractor's fees as required in
241 paragraph (a). Any application or administrative fee imposed
242 under this section must be reasonably related to the actual cost
243 incurred by the local government in administering the



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244 application and processing.

245 (c) If an applicant uses a qualified contractor to conduct
246 a preapplication review, the development services office must
247 provide the qualified contractor with access to the public
248 records and information reasonably necessary to perform the
249 preapplication review. This paragraph does not authorize the
250 disclosure of records that are confidential or exempt from
251 public inspection or copying under chapter 119 or any other
252 applicable law, and access to such records is provided only to
253 the extent permitted by law. This paragraph may not be construed
254 to require a local government to violate the licensing terms of
255 proprietary software or relate vendor agreements.

256 (d)1. If an applicant does not use a qualified contractor
257 pursuant to this section, the local government must conduct any
258 requested preapplication review within the applicable timeframes
259 under ss. 125.022 and 166.033, to the extent those sections
260 apply to the type of preapplication review requested. If the
261 local government fails to process the application within the
262 required timeframes, the applicant may use a qualified
263 contractor from the registry at the sole expense of the local
264 government if all of the following conditions are met:

265 a. The local government fails to establish such registry
266 pursuant to subsection (4); and

267 b. The qualified contractor does not have a conflict of
268 interest, to review the permits, plans, or plats, including
269 final and preliminary, subject to the preapplication review and
270 otherwise meets the requirements of this section.

271 2. If the applicant uses a qualified contractor for
272 preapplication review pursuant to this paragraph, such



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273 application must be accepted automatically when the local
274 government receives an affidavit from the qualified contractor,
275 and subsection (10) does not apply.

276 (7) RESTRICTIONS ON PREAPPLICATION REVIEW.—A qualified
277 contractor must conduct preapplication review only for
278 applications relating to the disciplines covered by such
279 qualified contractor's licensure or certification granted
280 pursuant to chapter 471, chapter 472, or chapter 481, or as
281 certified by the American Institute of Certified Planners,
282 including single-trade review. A qualified contractor may not
283 conduct a preapplication review pursuant to this section if the
284 qualified contractor is used by the applicant for the same
285 project that is the subject of the application, or has a
286 conflict of interest pursuant to s. 112.312.

287 (8) AFFIDAVIT REQUIREMENTS.—

288 (a) A qualified contractor performing a preapplication
289 review must determine whether the application is in compliance
290 with all applicable land development regulations, comprehensive
291 plan regulations, ordinances, and codes of the governing
292 jurisdiction. The qualified contractor shall work directly with
293 the applicant to resolve any deficiencies. Upon making the
294 determination that the application complies with all relevant
295 land development regulations, comprehensive plan regulations,
296 ordinances, and codes, the qualified contractor shall prepare an
297 affidavit certifying that the following information is true and
298 correct to the best of the qualified contractor's knowledge and
299 belief:

300 1. The preapplication review was conducted by the affiant,
301 who is duly authorized to perform a preapplication review



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302 pursuant to this section and holds the appropriate license or
303 certificate.

304 2. The permits, plans, or plats, including final and
305 preliminary, reviewed in the application comply with all
306 applicable land development regulations, comprehensive plan
307 regulations, ordinances, and codes.

308 (b) Such affidavit must bear a written or electronic
309 signature and must be submitted electronically to the
310 development services office.

311 (9) AUTHORIZATION AND APPROVAL.—

312 (a) Upon receipt of an application accompanied by an
313 affidavit of the qualified contractor pursuant to subsection
314 (8), the development services office must review and accept the
315 application as administratively complete or reject such
316 application as administratively incomplete.

317 (b) Upon a finding that the application is administratively
318 complete, the development services office shall, by the
319 following business day, forward the application for final action
320 by the appropriate approving authority or, if approval is
321 delegated to an employee within the development services office,
322 proceed with final action in accordance with this section and
323 ss. 125.022 and 166.033.

324 (c) If the development services office determines that an
325 application submitted pursuant to this subsection is
326 administratively incomplete, the office must provide written
327 notice to the applicant specifically identifying any aspects of
328 the application which do not comply with this section;
329 applicable land development regulations; comprehensive plan
330 regulations, ordinances, or codes; and the reasons the



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331 application was denied with reference to code chapters and
332 sections within 10 business days after receipt of the
333 application and affidavit. If the development services office
334 does not provide written notice to the permit applicant within
335 10 business days, the application shall be deemed
336 administratively complete as a matter of law solely for purposes
337 of acceptance, routing, and processing, and the development
338 services office must, by the following business day, forward the
339 application for final action to the appropriate approving
340 authority or, if the development services office is the
341 approving authority, proceed to final action in accordance with
342 this section and ss. 125.022 and 166.033. An application
343 determined to be administratively complete under this paragraph
344 does not constitute substantive approval of the permit submitted
345 and may not be construed to limit the authority to grant or deny
346 the application consistent with this section; however, the
347 development services office may not conduct any duplicative
348 review of the permit subject to preapplication review except as
349 expressly authorized by this section.

350 (d) The development services office's review under this
351 subsection is ministerial and limited to confirming
352 administrative completeness and proper form. The development
353 services office may not re-review the technical sufficiency or
354 substantive compliance of materials subject to preapplication
355 review by a qualified contractor, except as expressly authorized
356 by this section or by law.

357 (10) CONSTRUCTION.—Any local provision or action
358 inconsistent with this subsection is preempted, void, and
359 unenforceable to the extent of the inconsistency, and this



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360 section shall control and be given full force and effect over
361 any conflicting or more stringent provision of law, whether
362 general, special, or local, including any charter or home rule
363 provision, without regard to the order or time of enactment.

364 (11) DISCIPLINARY GUIDANCE.—When performing a
365 preapplication review, a qualified contractor is subject to the
366 disciplinary guidelines of the applicable professional board
367 with jurisdiction over his or her license or certification under
368 chapter 471, chapter 472, or chapter 481. Notwithstanding the
369 audit procedures in subsection (12), any complaint investigation
370 or discipline that may arise out of a qualified contractor’s
371 preapplication review shall be conducted by the applicable
372 professional board. Complaints regarding conflicts of interest
373 or other ethical violations shall be reviewed as provided in
374 chapter 112.

375 (12) AUDIT PROCEDURES.—A local government may audit the
376 work of a qualified contractor performing preapplication review
377 under this section pursuant to procedures established by the
378 local government. Such procedures must be reasonable, applied in
379 a nondiscriminatory manner, and made publicly available. A
380 qualified contractor must be provided written notice of any
381 audit findings and a reasonable opportunity to respond. Nothing
382 in this subsection limits a local government’s authority to
383 enforce contract terms, address conflicts of interest, remove a
384 qualified contractor from participation in the program, or take
385 action necessary to protect the public health, safety, or
386 welfare. An audit under this section may not replicate, redo, or
387 substitute for the preapplication review performed by the
388 qualified contractor, and may not go beyond the scope of



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389 verifying performance, customary practice, and evidentiary
390 support, unless expressly authorized by this section.

391 (13) PREAPPLICATION REVIEW FOR SPECIFIED ENTITIES.—

392 Notwithstanding any other law, a county, a municipality, a
393 school district, or an independent special district may use a
394 qualified contractor to provide preapplication review for a
395 public works project by the county, municipality, school
396 district, or independent special district.

397 (14) CIVIL ACTIONS AUTHORIZED.—

398 (a) An applicant may bring a civil action for declaratory
399 or injunctive relief against a county or municipality for a
400 violation of this section. In any such action, the court shall
401 award the prevailing party its reasonable attorney fees and
402 costs. For purposes of this paragraph, the term "prevailing
403 party" means the party that obtains an enforceable judgment,
404 order, or comparable court-sanctioned relief on the merits which
405 materially alter the legal relationship of the parties in that
406 party's favor, including the granting of declaratory or
407 injunctive relief or the dismissal with prejudice of the
408 opposing party's claims. The term does not include a party whose
409 objectives are achieved solely by the voluntary cessation of
410 challenged conduct absent a judicial determination or other
411 relief bearing the court's imprimatur. If neither party prevails
412 on the significant issues, or if both parties prevail in part,
413 the court may determine that no party is the prevailing party
414 and may equitably apportion fees and costs.

415 (b) Attorney fees, costs, and damages may not be awarded
416 pursuant to this subsection if:

417 1. The applicant provides the local government written



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418 notice that it is in violation of this section; and

419 2. The local government complies with this section within
420 14 days or completes a preapplication review for the applicant
421 that has submitted written notice of a violation of this section
422 within 14 days.

423 Section 2. Paragraph (c) is added to subsection (1) of
424 section 177.071, Florida Statutes, to read:

425 177.071 Administrative approval of plats or replats by
426 designated county or municipal official.—

427 (1)

428 (c) A local government may not create, establish, or apply
429 any additional local procedure or condition for the
430 administrative approval of a plat or replat under this section
431 that is inconsistent with this section or s. 177.091. If
432 infrastructure financial assurances are required as a condition
433 of plat or replat approval, the administrative authority
434 designated in paragraph (a) shall receive and act upon the
435 proposed assurance. The local government shall accept commonly
436 used forms of financial assurance, including performance bonds,
437 letters of credit, and escrow agreements, provided the assurance
438 is in a form reasonably acceptable to the local government and
439 issued by a financially responsible issuer meeting objective,
440 uniformly applied standards. Local government review of such
441 financial assurance shall be limited to verifying that the
442 amount, form, and issuer satisfy the requirements of s. 177.091
443 and the local government's uniformly applied standards, and may
444 not be used to unreasonably delay approval. If the assurance is
445 deficient, the local government shall provide written notice of
446 deficiencies within 10 business days.



447 Section 3. Paragraph (a) of subsection (1), paragraphs (a)
448 and (b) of subsection (2), paragraph (a) of subsection (3),
449 subsection (4), paragraphs (b) and (c) of subsection (6), and
450 subsection (8) of section 177.073, Florida Statutes, are
451 amended, and paragraph (d) is added to subsection (2), and
452 paragraphs (c) and (d) are added to subsection (4) of that
453 section, to read:

454 177.073 Expedited approval of residential building permits
455 before a final plat is recorded.—

456 (1) As used in this section, the term:

457 (a) "Applicant" means a homebuilder or developer who files
458 an application with the local governing body to identify the
459 percentage of planned homes, or the number of building permits,
460 that the local governing body must issue for a residential
461 subdivision, or one or more phases in a multi-phased planned
462 community, subdivision, or planned community.

463 (2) (a) By October 1, 2024, the governing body of a county
464 that has 75,000 residents or more and any governing body of a
465 municipality that has 10,000 residents or more and 25 acres or
466 more of contiguous land that the local government has designated
467 in the local government's comprehensive plan and future land use
468 map as land that is agricultural or to be developed for
469 residential purposes shall create a program to expedite the
470 process for issuing building permits for residential
471 subdivisions, one or more phases of a community or subdivision,
472 or planned communities in accordance with the Florida Building
473 Code and this section before a final plat is recorded with the
474 clerk of the circuit court. The expedited process must include
475 an application for an applicant to identify the percentage of



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476 planned homes, not to exceed 50 percent of the residential
477 subdivision or a planned community, or the number of building
478 permits that the governing body must issue for the residential
479 subdivision or planned community. The application or the local
480 government's final approval may not alter or restrict the
481 applicant from receiving the number of building permits
482 requested, so long as the request does not exceed 50 percent of
483 the planned homes of the residential subdivision or planned
484 community or the number of building permits. This paragraph does
485 not:

486 1. Restrict the governing body from issuing more than 50
487 percent of the building permits for the residential subdivision
488 or planned community.

489 2. Apply to a county subject to s. 380.0552.

490 (b) Subject to the requirements under subsection (6)(b), a
491 governing body that had a program in place before July 1, 2023,
492 to expedite the building permit process, need only update its
493 ~~their~~ program to approve an applicant's written application to
494 issue up to 50 percent of the building permits for the
495 residential subdivision, or planned community in order to comply
496 with this section. This paragraph does not restrict a governing
497 body from issuing more than 50 percent of the building permits
498 for the residential subdivision or planned community.

499 (d)1. If a governing body fails to adopt a program under
500 paragraph (2)(a) or paragraph (2)(c), or fails to update or
501 modify an existing program as required under paragraph (2)(b) by
502 the applicable statutory deadline, the following will apply
503 without further action or approval by the governing body and
504 notwithstanding any conflicting local requirement:



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505 a. The applicant shall have an unconditional, self-
506 executing right to use a qualified contractor of the applicant's
507 choosing, within the scope of the contractor's professional
508 licensure and as authorized under s. 177.073, to perform
509 technical review and certification necessary to support the
510 issuance of up to 75 percent of the building permits for the
511 residential subdivision, or planned community, including one or
512 more phases thereof, before the final plat is recorded, provided
513 the qualified contractor does not have a conflict of interest.
514 For the purpose of this paragraph, "conflict of interest" has
515 the same meaning as in s. 112.312.

516 b. The governing body, local building official, and any
517 local government staff may not condition, delay, limit,
518 restrict, obstruct, or deny the applicant's use of a qualified
519 contractor under this paragraph. Nothing in this paragraph
520 prohibits a local government from applying neutral, generally
521 applicable requirements relating to procurement, contracting,
522 insurance, indemnification, conflict-of-interest review,
523 credential verification, recordkeeping, or public safety,
524 provided such requirements do not materially impair or frustrate
525 the applicant's ability to use a qualified contractor as
526 authorized by this paragraph. Any local requirement that
527 directly conflicts with this paragraph is preempted to the
528 extent of the conflict.

529 c. The qualified contractor may perform all technical
530 review services within the scope of his or her licensure and
531 qualifications which are necessary to obtaining such building
532 permits as specifically authorized under this section, including
533 preparing, reviewing, and submitting permit applications and



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534 supporting plans, specifications, and documents, and providing
535 signed and sealed documents when required by law. The local
536 building official shall accept such submissions when prepared
537 and sealed by the qualified contractor as meeting any local
538 requirement that the submission be prepared or reviewed by local
539 government staff, and shall review and issue the permits in
540 accordance with the Florida Building Code and applicable state
541 law. Nothing in this paragraph limits the authority of the local
542 building official to review such submission by a qualified
543 contractor for compliance with the Florida Building Code and
544 applicable state law, to identify deficiencies, or to approve or
545 deny the permit in accordance with the law.

546 d. The governing body and the local building official may
547 not unreasonably require the applicant or the qualified
548 contractor to use a local government registry, rotation,
549 shortlist, or any other selection or vetting process, that has
550 the effect of denying or materially delaying the applicant's use
551 of a qualified contractor under this section..

552 e. The unconditional right provided by this paragraph
553 becomes effective immediately upon the governing body's failure
554 to meet the applicable deadlines in paragraphs (a) or (c),
555 continues in effect unless and until the governing body has
556 adopted or updated a program fully compliant with this section,
557 and may not be limited, impaired, or applied retroactively to
558 reduce the number or percentage of building permits the
559 applicant may obtain or is eligible to obtain under this
560 paragraph.

561 2. This paragraph may not be construed to limit or impair
562 the authority of the local building official to enforce the



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563 Florida Building Code, the Florida Fire Prevention Code, or
564 other applicable state laws and local laws of general
565 application in reviewing and issuing building permits; however,
566 the governing body and the local building official may not
567 impose any additional local procedures, prerequisites, or
568 substantive standards on the applicant or the qualified
569 contractor which have the effect of conditioning, delaying,
570 restricting, or denying the use of a qualified contractor as
571 authorized by this paragraph.

572 (3) A governing body shall create:

573 (a) A two-step application process for the adoption of a
574 preliminary plat, and for stabilized access roads that can
575 support emergency vehicles, inclusive of any plans, in order to
576 expedite the issuance of building permits under this section.
577 The application must allow an applicant to identify the
578 percentage of planned homes or the number of building permits
579 that the governing body must issue for the residential
580 subdivision, ~~or~~ planned community, or one or more phases of a
581 multi-phased planned community or subdivision.

582 (4) (a) An applicant may use a private provider or qualified
583 contractor in the same manner as provided in pursuant to s.
584 553.791 to expedite the application process for any plans
585 necessary to support the approval of a site plan, preliminary or
586 final plat, or building permits after a preliminary plat is
587 approved under this section.

588 (b) A governing body shall establish a registry of at least
589 six ~~three~~ qualified contractors whom the governing body may use
590 to supplement staff resources in ways determined by the
591 governing body for processing and expediting the review of an



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592 application for a preliminary plat or any plans related to such
593 application. A qualified contractor on the registry who is hired
594 pursuant to this section to review an application, or any part
595 thereof, for a preliminary plat, or any part thereof, may not
596 have a conflict of interest with the applicant. For purposes of
597 this paragraph, the term "conflict of interest" has the same
598 meaning as in s. 112.312.

599 (c) If a governing body fails to establish or maintain the
600 registry required under paragraph (b), an applicant may, at its
601 sole discretion, retain a private provider or qualified
602 contractor of the applicant's choosing to process, review, and
603 expedite any application for a preliminary plat, or supporting
604 documents, provided that the selected private provider or
605 qualified contractor does not have a conflict of interest. For
606 purposes of this paragraph, the term "conflict of interest" has
607 the same meaning as in s. 112.312. If a conflict of interest is
608 identified after selection, the applicant must promptly replace
609 the private provider or qualified contractor with one who has no
610 conflict of interest, and the governing body must continue
611 processing without delay or prejudice.

612 (d) The governing body may not condition, delay, or deny
613 the applicant's use of such private provider or qualified
614 contractor, and shall accept, process, and act upon reviews,
615 approvals, recommendations, or certifications submitted by the
616 private provider or qualified contractor in the same manner and
617 within the same timeframes as if performed by the governing
618 body's own staff, or by a qualified contractor on the registry.
619 The governing body may verify credentials, require standard
620 submittal formats, and conduct ministerial compliance checks,



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621 but may not impose additional requirements that have the effect
622 of frustrating, negating, or impeding the applicant's right to
623 use a private provider or qualified contractor under this
624 paragraph. The applicant shall be responsible for all fees and
625 costs associated with the private provider or qualified
626 contractor. Any ordinance, resolution, policy, practice,
627 contract, or requirement to the contrary is preempted and void
628 to the extent of conflict with this paragraph.

629 (6) The governing body must issue the number or percentage
630 of building permits requested by an applicant in accordance with
631 the Florida Building Code and this section, provided the
632 residential buildings or structures are unoccupied and all of
633 the following conditions are met:

634 (b) The applicant provides proof to the governing body that
635 the applicant has provided a copy of the approved preliminary
636 plat, along with the approved plans, to the relevant electric,
637 gas, water, and wastewater utilities. For purposes of this
638 paragraph, the term "approved plans" means plans approved for
639 design and permit review and does not include, and may not be
640 construed to require or imply, any certification, attestation,
641 or confirmation of the completion of construction of any
642 subdivision or planned community infrastructure, or improvements
643 depicted in, referenced by, or required under such plans, except
644 for the construction of the minimum access and roadway
645 improvements required by the Florida Fire Prevention Code for
646 fire department access and operations, such as a stabilized
647 roadway for emergency access. No other subdivision or planned
648 community infrastructure or improvements may be required to be
649 constructed as a condition of permit issuance or approval.



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650 1. A local government may not condition, delay, withhold,
651 or deny the issuance of any building permit authorized under
652 this section on:

653 a. The actual completion, substantial completion, or
654 physical installation of any subdivision or planned community
655 infrastructure, or improvements identified in the approved
656 preliminary plat or approved plans; or

657 b. The submission, acceptance, or approval of any
658 certification of completion or similar documentation, including,
659 but not limited to, certificates of completion, substantial
660 completion, engineer's or architect's certifications of
661 completion, as-built or record drawings, pressure or compaction
662 test results, utility acceptance letters, service availability
663 letters, or similar confirmations of finished construction or
664 readiness for service.

665 c. Compliance with an environmental condition that is not
666 required by its land development regulations or by state law or
667 federal law to obtain a building permit.

668 2. This prohibition applies notwithstanding any ordinance,
669 resolution, policy, practice, development order, permit
670 condition, concurrency or proportionate-share requirement,
671 development agreement, interlocal agreement, utility policy or
672 standard, or any other local requirement to the contrary.

673 3. This paragraph may not be construed to prohibit a local
674 government from requiring documentation strictly necessary to
675 demonstrate compliance with the Florida Fire Prevention Code as
676 a condition of issuing building permits; however, such
677 documentation may not require the physical completion of the
678 subdivision or planned community infrastructure, or improvements



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679 beyond what is expressly required to satisfy the Florida Fire
680 Prevention Code.

681 (c) The applicant holds a valid performance bond for up to
682 130 percent of the necessary improvements, as defined in s.
683 177.031(9), that have not been completed upon submission of the
684 application under this section. For purposes of a master planned
685 community as defined in s. 163.3202(5)(b), a valid performance
686 bond is required on a phase-by-phase basis. For purposes of this
687 section, a local government may waive the bonding requirement in
688 this paragraph through its program or on a case-by-case basis
689 upon request of the applicant.

690 (8) For purposes of this section, an applicant has a vested
691 right in a preliminary plat that has been approved by a
692 governing body for the earlier of at least 5 years or if all of
693 the following conditions are met:

694 (a) The applicant relies in good faith on the approved
695 preliminary plat or any amendments thereto.

696 (b) The applicant incurs obligations and expenses,
697 commences construction of the residential subdivision or planned
698 community, and is continuing in good faith with the development
699 of the property.

700 Section 4. This act shall take effect July 1, 2026.

701
702 ===== T I T L E A M E N D M E N T =====

703 And the title is amended as follows:

704 Delete everything before the enacting clause
705 and insert:

706 A bill to be entitled

707 An act relating to qualified contractors; creating s.



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708 163.3169, F.S.; providing legislative findings;
709 defining terms; requiring the governing body of a
710 local government, by a specified date, to create a
711 program that authorizes an applicant to use a
712 qualified contractor to conduct a preapplication
713 review of an application; requiring the governing body
714 to establish certain processes; providing
715 specifications for such program; prohibiting certain
716 additional requirements; providing that the program
717 must require a local government to deem an application
718 that satisfies specified provisions administratively
719 complete; prohibiting the program from imposing
720 additional terms, conditions, or duplicative review
721 processes; providing that the program may allow for
722 the review of ownership authorizations for the
723 development of the property; providing construction;
724 requiring the development services office of a local
725 government to establish a registry of a specified
726 number of qualified contractors to be used to conduct
727 preapplication reviews; authorizing the development
728 services office of a local government to register less
729 than the specified number of qualified contractors
730 under certain circumstances; authorizing a local
731 government to enter into an agreement with a
732 neighboring local government under certain
733 circumstances; prohibiting a local government from
734 adding its own employees to the registry; requiring a
735 local government to use certain contract terms;
736 prohibiting a local government from drafting or



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737 applying contractual terms that impose certain
738 obligations on qualified contractors; authorizing an
739 applicant to use a qualified contractor of his or her
740 choosing to perform the preapplication review under
741 certain circumstances; prohibiting a local government
742 from conditioning, denying, delaying or otherwise
743 contesting an applicant's selection or use of a
744 qualified contractor of his or her choosing, except
745 upon a certain determination; authorizing an applicant
746 to exercise sole discretion in choosing a qualified
747 contractor from the registry; specifying requirements
748 for payment to the qualified contractor; requiring a
749 local government to reduce any application fee by a
750 certain amount if the applicant uses a qualified
751 contractor for preapplication review; specifying
752 requirements for such fee reduction; requiring fees to
753 be reasonably related to the actual cost incurred by
754 the local government in administering the application
755 an processing; requiring a development services office
756 to provide a qualified contractor conducting a
757 preapplication review with access to certain
758 resources; providing construction; requiring a local
759 government to conduct a preapplication review within a
760 specified timeframe if the applicant does not use a
761 qualified contractor; authorizing an applicant to use
762 a qualified contractor from the registry if the local
763 government fails to process the application in the
764 required time, at the expense of the local government,
765 so long as the qualified contractor does not have a



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766 conflict of interest; providing for the automatic
767 acceptance of certain applications; specifying that a
768 qualified contractor must only conduct preapplication
769 review of applications relating to the disciplines
770 covered by the qualified contractor's licensure;
771 prohibiting a qualified contractor from conducting
772 preapplication review under certain circumstances;
773 specifying requirements for such preapplication
774 review; requiring a qualified contractor to prepare an
775 affidavit for the preapplication review; specifying
776 requirements for such affidavit; requiring the
777 development services office to make a certain
778 determination on the application upon receipt of such
779 affidavit from the qualified contractor providing the
780 preapplication review; requiring the development
781 services office to take certain actions upon a
782 determination that an application is complete or not
783 administratively complete; providing that an
784 application determined to be administratively complete
785 does not constitute substantive approval of the
786 permit; providing construction; prohibiting the
787 development services office from conducting
788 duplicative review of the permit subject to
789 preapplication review; specifying the purpose of the
790 development services office's review; prohibiting the
791 development services office from re-reviewing
792 materials subject to preapplication review; providing
793 that inconsistent local provisions are preempted,
794 void, and unenforceable; providing disciplinary



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795 guidelines; authorizing a local government to audit
796 the work of qualified contractors; specifying
797 requirements for such auditing procedures; providing
798 construction; authorizing specified entities to
799 provide preapplication reviews for public works
800 projects; authorizing a civil action; authorizing the
801 award of attorney fees and costs; defining the term
802 "prevailing party"; prohibiting the award of attorney
803 fees, costs, or damages under certain circumstances;
804 amending s. 177.071, F.S.; prohibiting local
805 governments from creating or establishing additional
806 regulations for the approval of a final plat;
807 requiring a local government to designate a certain
808 administrative authority to take certain actions
809 relating to the approval of infrastructure assurances;
810 requiring a local government to accept certain forms
811 of surety instruments; amending s. 177.073, F.S.;
812 revising the definition of the term "applicant";
813 requiring the governing body of certain local
814 governments and counties to create a program to
815 expedite the process for building permits for planned
816 unit developments or phases of a community or
817 subdivision; specifying requirements for applicants,
818 qualified contractors, and the governing body of a
819 local government in the event that the local
820 government fails to update or modify a certain program
821 by a specified date; providing construction; requiring
822 a governing body to create a two-step application
823 process for stabilized access to roads that can



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824 support emergency vehicles; revising requirements for
825 such application process; authorizing an applicant to
826 use a qualified contractor for land use approvals
827 under certain circumstances; increasing the number of
828 qualified contractors on the registry; authorizing an
829 applicant to retain a private provider or qualified
830 contractor to process, review, and expedite an
831 application for a preliminary plat or related plans
832 under certain circumstances; defining "conflict of
833 interest"; requiring an applicant to replace a
834 qualified contractor or private provider if a conflict
835 of interest is discovered; prohibiting a governing
836 body from restricting an applicant's use of a private
837 provider or qualified contractor and requiring the
838 governing body to accept the such private provider or
839 qualified contractor's reviews, approvals,
840 recommendations, or certifications under certain
841 circumstances; requiring a governing body to treat
842 documents submitted by a private provider or an
843 applicant in the same manner as they treat other
844 documents submitted by certain individuals;
845 authorizing a governing body to take certain actions;
846 requiring an applicant to be responsible for certain
847 fees and costs; voiding and preempting conflicting
848 provisions; defining the term "approved plans";
849 providing construction; prohibiting a local government
850 from conditioning, delaying, withholding, or denying
851 the issuance of any permit under certain
852 circumstances; providing applicability; providing



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853 construction; authorizing a local government to waive
854 certain bonding requirements under certain
855 circumstances; revising the circumstances under which
856 an applicant has a vested right in a preliminary plat;
857 providing an effective date.