

By the Committees on Rules; and Regulated Industries; and  
Senator DiCeglie

595-03191-26

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1                                   A bill to be entitled  
2           An act relating to building permits and inspections;  
3           amending s. 125.56, F.S.; providing for expiration of  
4           certain building permits issued by a county after a  
5           specified timeframe; providing construction; amending  
6           s. 489.129, F.S.; providing that certain persons are  
7           not subject to discipline for performing a job without  
8           applicable permits and inspections if otherwise  
9           provided by law; amending s. 553.382, F.S.; providing  
10          that any certified residential manufactured building  
11          may not be denied a building permit for placement on  
12          specified lots or property associations; creating s.  
13          553.385, F.S.; defining the terms "local government"  
14          and "offsite-constructed residential dwelling";  
15          requiring that an offsite-constructed residential  
16          dwelling be permitted as of right in any zoning  
17          district where certain dwellings are allowed;  
18          prohibiting a local government from adopting or  
19          enforcing a certain zoning, land use, or development  
20          regulation that treats an offsite-constructed  
21          residential dwelling differently or more restrictively  
22          than certain dwellings in the same district; providing  
23          construction; authorizing a local government to adopt  
24          compatibility standards for specified architectural  
25          features; prohibiting a local government from treating  
26          offsite-constructed residential dwellings differently  
27          than factory-built buildings based on the method or  
28          location of construction; prohibiting a local  
29          government from adopting or enforcing certain zoning,

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30 land use, or development ordinances or regulations;  
31 prohibiting local government ordinances or regulations  
32 from having the effect of excluding offsite-  
33 constructed residential dwellings; requiring that such  
34 ordinances or regulations be reasonable and uniformly  
35 enforced without distinction as to type of housing;  
36 providing that any such ordinance or regulation is  
37 void and unenforceable as applied to offsite-  
38 constructed residential dwellings; amending s. 553.77,  
39 F.S.; requiring the Florida Building Commission to  
40 adopt by rule uniform statewide building permit  
41 applications for commercial and residential  
42 construction projects; requiring that such building  
43 permit applications, to the extent feasible, be  
44 capable of integration with existing building permit  
45 software systems used by local governments and account  
46 for local amendments to the Florida Building Code;  
47 amending s. 553.79, F.S.; requiring local enforcement  
48 agencies to allow building permit applicants to submit  
49 certain documents and payments electronically;  
50 authorizing building officials to accept such  
51 documents and payments in person in a nonelectronic  
52 format; providing that a building permit issued by a  
53 local government for a single-family dwelling expires  
54 after a specified timeframe; authorizing a local  
55 government to extend such a building permit beyond the  
56 specified timeframe; prohibiting inspection fees from  
57 being based on the total cost of a project and from  
58 exceeding the actual inspection costs incurred by the

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59 local enforcement agency; prohibiting a local  
60 government that issues building permits from requiring  
61 the owner of a single-family dwelling or the owner's  
62 contractor to obtain a building permit to perform work  
63 that is at valued less than a specified sum; providing  
64 exceptions; prohibiting the division of a construction  
65 project into more than one project for a specified  
66 purpose; requiring certain persons who perform work on  
67 a property to file a notice of permit exemption with  
68 the local enforcement agency within a specified  
69 timeframe; providing that a notice is not required for  
70 work performed personally by the property owner;  
71 providing that a local government has no legal duty to  
72 the owner, contractor, or their successors or assigns  
73 for such work performed; prohibiting a local  
74 government that issues building permits from requiring  
75 an owner of certain dwellings, or the owner's  
76 contractor, to obtain a building permit for certain  
77 work under certain circumstances; providing that a  
78 local government has no legal duty to the owner,  
79 contractor, or their successors or assigns for such  
80 work performed; authorizing the Florida Building  
81 Commission to adopt rules; prohibiting a local  
82 government that issues building permits from requiring  
83 a building permit for each lot or parcel upon which a  
84 retaining wall is installed on the property of certain  
85 buildings; providing construction; prohibiting a  
86 political subdivision from imposing certain  
87 requirements for glazing on certain proposed

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88 construction or restoration projects; providing an  
89 exception; defining the terms "glazing" and "primary  
90 facade"; amending s. 553.791, F.S.; revising  
91 definitions; defining the term "registration";  
92 revising the authorization of a fee owner or the fee  
93 owner's contractor to use a private provider for  
94 certain services to include plans review; requiring  
95 that the written authorization of a fee owner to a  
96 contractor for the use of a private provider be  
97 explicit; providing that such explicit written  
98 authorization be submitted to the local building  
99 official; prohibiting a local enforcement agency from  
100 requiring that the explicit written authorization be  
101 submitted as part of a permit application or as a  
102 condition for issuing a permit; specifying how the  
103 permit fee must be calculated; prohibiting a local  
104 jurisdiction from charging certain administrative fees  
105 or other additional fees; requiring the local  
106 jurisdiction to promptly provide equal access to all  
107 permitting and inspection documents and reports to the  
108 private provider, fee owner, and contractor under  
109 certain circumstances; specifying requirements for  
110 reduced permit fees and surcharge calculations;  
111 prohibiting local governmental entities and local  
112 building officials from requiring additional forms in  
113 certain circumstances; providing an exception;  
114 requiring local enforcement agencies to create a  
115 registration system for private providers and private  
116 provider firms working in their jurisdiction;

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117 requiring a local enforcement agency to establish a  
118 method to register and update registration information  
119 electronically; prohibiting local enforcement agencies  
120 from charging an administrative fee for registration  
121 or updating registration; requiring private providers  
122 and private provider firms to include certain  
123 information when registering; prohibiting a private  
124 provider or a private provider firm from working in  
125 the local enforcement agency's jurisdiction until it  
126 registers; requiring the private provider or private  
127 provider firm to update its registration within a  
128 specified timeframe if there is a change in specified  
129 information; prohibiting local enforcement agencies  
130 from altering a form adopted by the commission;  
131 deleting a requirement that a private provider's  
132 qualification statements or resumes be included in a  
133 certain notice; deleting time restrictions for  
134 electing to use a private provider; revising the  
135 authorization for a fee owner or the fee owner's  
136 contractor to use a private provider to provide  
137 inspection services for single-trade inspections for a  
138 single-family or two-family dwelling; requiring local  
139 enforcement agencies to accept electronically  
140 submitted affidavits; specifying which forms and  
141 documents a local building official may not review;  
142 providing that a local building official may review  
143 certain forms and documents for completeness only;  
144 requiring that written notice of incomplete forms be  
145 given to an applicant within a specified timeframe;

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146 requiring the written notice to state with specificity  
147 which forms or documents are incomplete; deleting a  
148 requirement that the local building official issue the  
149 requested permit or provide a written notice to the  
150 permit applicant with specific information within a  
151 specified timeframe; revising the circumstances for  
152 when any time periods are tolled for any incomplete  
153 forms or documents; making technical changes; revising  
154 the timeframe in which the local building official has  
155 to issue the requested permit or provide a second  
156 written notice; providing that certain permits are  
157 deemed approved and a local building official is  
158 required to issue the permit within a specified  
159 timeframe; deleting a requirement of private providers  
160 that are performing required inspections to provide  
161 notice to the local building official of specified  
162 information; deleting a provision authorizing the  
163 local building official to visit the building site as  
164 often as necessary to verify certain information;  
165 prohibiting the local jurisdiction from charging  
166 reaudit or reinspection fees under certain  
167 circumstances; providing that local enforcement  
168 agencies are not responsible for the administration or  
169 supervision of services performed by a private  
170 provider; conforming provisions to changes made by the  
171 act; prohibiting local building officials from failing  
172 certain inspections under certain circumstances;  
173 revising the timeframe in which certain records must  
174 be provided; authorizing certain persons to sign

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175 certificates of compliance; authorizing a local  
176 building official to perform certain building  
177 inspections under certain circumstances; specifying  
178 requirements for local building officials under such  
179 circumstances; providing that a local building  
180 official may review certain forms and documents for  
181 completeness only; deleting a provision authorizing  
182 certain governmental entities to establish a system of  
183 registration for certain private providers, private  
184 provider firms, and duly authorized representatives;  
185 providing that certain virtual inspections may not be  
186 prohibited or limited; requiring that a private  
187 provider or private provider firm subject to an audit  
188 be given notice of such audit to be performed within a  
189 specified timeframe; prohibiting certain entities from  
190 prohibiting or discouraging the use of private  
191 providers; revising a provision authorizing a county,  
192 a municipality, a school district, or an independent  
193 special district to use a private provider or private  
194 provider firm, or a licensed building inspector or a  
195 person who holds the same licensure or certification  
196 as a private provider, to provide certain services;  
197 amending s. 553.792, F.S.; revising the timeframe in  
198 which a local government must approve, approve with  
199 conditions, or deny certain work on certain buildings  
200 if such work is valued at less than a specified sum;  
201 amending s. 720.3035, F.S.; prohibiting an association  
202 or certain committees from requiring a building permit  
203 as a prerequisite for a certain review; providing an

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204 effective date.

205  
206 Be It Enacted by the Legislature of the State of Florida:

207  
208 Section 1. Paragraph (d) of subsection (4) of section  
209 125.56, Florida Statutes, is amended to read:

210 125.56 Enforcement and amendment of the Florida Building  
211 Code and the Florida Fire Prevention Code; inspection fees;  
212 inspectors; etc.—

213 (4)

214 (d) A county that issues building permits may send a  
215 written notice of expiration, by e-mail or United States Postal  
216 Service, to the owner of the property and the contractor listed  
217 on the permit, no less than 30 days before a building permit is  
218 set to expire. The written notice must identify the permit that  
219 is set to expire and the date the permit will expire. A building  
220 permit issued by a county for a single-family dwelling expires 1  
221 year after the issuance of the permit or on the effective date  
222 of the next edition of the Florida Building Code, whichever is  
223 later; however, this paragraph does not prevent a local  
224 government from extending the building permit beyond the  
225 expiration date.

226 Section 2. Paragraph (o) of subsection (1) of section  
227 489.129, Florida Statutes, is amended to read:

228 489.129 Disciplinary proceedings.—

229 (1) The board may take any of the following actions against  
230 any certificateholder or registrant: place on probation or  
231 reprimand the licensee, revoke, suspend, or deny the issuance or  
232 renewal of the certificate or registration, require financial

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233 restitution to a consumer for financial harm directly related to  
234 a violation of a provision of this part, impose an  
235 administrative fine not to exceed \$10,000 per violation, require  
236 continuing education, or assess costs associated with  
237 investigation and prosecution, if the contractor, financially  
238 responsible officer, or business organization for which the  
239 contractor is a primary qualifying agent, a financially  
240 responsible officer, or a secondary qualifying agent responsible  
241 under s. 489.1195 is found guilty of any of the following acts:

242 (o) Proceeding on any job without obtaining applicable  
243 local building department permits and inspections, unless  
244 otherwise provided by law.

245  
246 For the purposes of this subsection, construction is considered  
247 to be commenced when the contract is executed and the contractor  
248 has accepted funds from the customer or lender. A contractor  
249 does not commit a violation of this subsection when the  
250 contractor relies on a building code interpretation rendered by  
251 a building official or person authorized by s. 553.80 to enforce  
252 the building code, absent a finding of fraud or deceit in the  
253 practice of contracting, or gross negligence, repeated  
254 negligence, or negligence resulting in a significant danger to  
255 life or property on the part of the building official, in a  
256 proceeding under chapter 120.

257 Section 3. Section 553.382, Florida Statutes, is amended to  
258 read:

259 553.382 Placement of certain housing.—Notwithstanding any  
260 other law or ordinance to the contrary, in order to expand the  
261 availability of affordable housing in this state, any

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262 residential manufactured building that is certified under this  
263 chapter by the department may not be denied a building permit  
264 for placement ~~be placed~~ on a mobile home lot in a mobile home  
265 park, on any lot in a recreational vehicle park, or in a mobile  
266 home condominium, cooperative, or subdivision. Any such housing  
267 unit placed on a mobile home lot is a mobile home for purposes  
268 of chapter 723 and, therefore, all rights, obligations, and  
269 duties under chapter 723 apply, including the specifics of the  
270 prospectus. However, a housing unit subject to this section may  
271 not be placed on a mobile home lot without the prior written  
272 approval of the park owner. Each housing unit located on a  
273 mobile home lot and subject to this section must ~~shall~~ be taxed  
274 as a mobile home under s. 320.08(11) and is subject to payments  
275 to the Florida Mobile Home Relocation Fund under s. 723.06116.

276 Section 4. Section 553.385, Florida Statutes, is created to  
277 read:

278 553.385 Permitting and zoning of offsite-constructed  
279 residential dwellings; parity.-

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

281 (a) "Local government" means a county or municipality.

282 (b) "Offsite-constructed residential dwelling" means a  
283 manufactured building as defined in s. 553.36(13) which is  
284 intended for single-family residential use, or a manufactured  
285 home as defined in s. 320.01(2)(b) which is constructed in whole  
286 or in part offsite and is treated as real property.

287 (2)(a) An offsite-constructed residential dwelling must be  
288 permitted as of right in any zoning district where single-family  
289 detached dwellings are allowed.

290 (b) A local government may not adopt or enforce any zoning,

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291 land use, or development regulation that treats an offsite-  
292 constructed residential dwelling differently or more  
293 restrictively than a single-family site-built dwelling allowed  
294 in the same district.

295 (c) This section does not prohibit a local government from  
296 applying generally applicable architectural, aesthetic, design,  
297 setback, height, or bulk standards to offsite-constructed  
298 residential dwellings, provided such standards apply equally to  
299 site-built single-family dwellings permitted in the same  
300 district. A local government may adopt compatibility standards  
301 that are limited to the following architectural features:

- 302 1. Roof pitch.
- 303 2. Square footage of livable space.
- 304 3. Type and quality of exterior finishing materials.
- 305 4. Foundation enclosure.
- 306 5. Existence and type of attached structures.
- 307 6. Building setbacks, lot dimensions, and the orientation  
308 of the home on the lot.

309 (d) A local government may not treat offsite-constructed  
310 residential dwellings differently than factory-built buildings  
311 subject to s. 553.38 based on the method or location of  
312 construction.

313 (3) A local government may not adopt or enforce any zoning,  
314 land use, or development ordinance or regulation that conflicts  
315 with this section or s. 553.38, or that imposes different or  
316 more restrictive treatment on an offsite-constructed residential  
317 dwelling based on its method of construction or the presence of  
318 components built off site. Local government ordinances or  
319 regulations may not have the effect of excluding offsite-

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320 constructed residential dwellings and must be reasonable and  
321 uniformly enforced without any distinction as to the type of  
322 housing. Any such ordinance or regulation is void and  
323 unenforceable as applied to offsite-constructed residential  
324 dwellings.

325 Section 5. Present paragraphs (b) through (m) of subsection  
326 (1) of section 553.77, Florida Statutes, are redesignated as  
327 paragraphs (c) through (n), respectively, a new paragraph (b) is  
328 added to that subsection, and present paragraph (c) of that  
329 subsection is amended, to read:

330 553.77 Specific powers of the commission.—

331 (1) The commission shall:

332 (b) By July 1, 2027, adopt by rule a uniform commercial  
333 building permit application to be used statewide for commercial  
334 construction projects and a uniform residential building permit  
335 application to be used statewide for residential construction  
336 projects. To the extent feasible, the uniform building permit  
337 applications adopted by the commission must be capable of  
338 integration with existing building permit software systems  
339 utilized by local governments and must account for local  
340 amendments to the Florida Building Code.

341 (d) ~~(e)~~ Upon written application by any substantially  
342 affected person or a local enforcement agency, issue declaratory  
343 statements pursuant to s. 120.565 relating to new technologies,  
344 techniques, and materials which have been tested where necessary  
345 and found to meet the objectives of the Florida Building Code.  
346 This paragraph does not apply to the types of products,  
347 materials, devices, or methods of construction required to be  
348 approved under paragraph (g) ~~(f)~~.

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349 Section 6. Paragraphs (a), (b), (c), and (f) of subsection  
350 (1) and paragraph (a) of subsection (24) of section 553.79,  
351 Florida Statutes, are amended, and paragraphs (g) through (j)  
352 are added to subsection (1) of that section, to read:

353 553.79 Permits; applications; issuance; inspections.—

354 (1) (a) Unless otherwise provided by law, after the  
355 effective date of the Florida Building Code adopted as herein  
356 provided, it is ~~shall be~~ unlawful for any person, firm,  
357 corporation, or governmental entity to construct, erect, alter,  
358 modify, repair, or demolish any building within this state  
359 without first obtaining a permit therefor from the appropriate  
360 enforcing agency or from such persons as may, by appropriate  
361 resolution or regulation of the authorized state or local  
362 enforcing agency, be delegated authority to issue such permits,  
363 upon the payment of such reasonable fees adopted by the  
364 enforcing agency. The enforcing agency is empowered to revoke  
365 any such permit upon a determination by the agency that the  
366 construction, erection, alteration, modification, repair, or  
367 demolition of the building for which the permit was issued is in  
368 violation of, or not in conformity with, ~~the provisions of the~~  
369 Florida Building Code. Whenever a permit required under this  
370 section is denied or revoked because the plan, or the  
371 construction, erection, alteration, modification, repair, or  
372 demolition of a building, is found by the local enforcing agency  
373 to be not in compliance with the Florida Building Code, the  
374 local enforcing agency shall identify the specific plan or  
375 project features that do not comply with the applicable codes,  
376 identify the specific code chapters and sections upon which the  
377 finding is based, and provide this information to the permit

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378 applicant. A plans reviewer or building code administrator who  
379 is responsible for issuing a denial, revocation, or modification  
380 request but fails to provide to the permit applicant a reason  
381 for denying, revoking, or requesting a modification, based on  
382 compliance with the Florida Building Code or local ordinance, is  
383 subject to disciplinary action against his or her license  
384 pursuant to s. 468.621(1)(i). Installation, replacement,  
385 removal, or metering of any load management control device is  
386 exempt from and is ~~shall~~ not ~~be~~ subject to the permit process  
387 and fees otherwise required by this section.

388 (b) A local enforcement agency shall post each type of  
389 building permit application, as adopted by the commission,  
390 including a list of all required attachments, drawings, or other  
391 requirements for each type of application, on its website. A  
392 local enforcement agency must post and update the status of  
393 every received application on its website until the issuance of  
394 the building permit. A local enforcement agency shall allow  
395 applicants to submit completed applications, including payments,  
396 attachments, drawings, or other requirements or parts of the  
397 ~~completed permit application, must be able to be submitted~~  
398 electronically to the appropriate building department. Accepted  
399 methods of electronic submission include, but are not limited  
400 to, e-mail submission of applications in Portable Document  
401 Format or submission of applications through an electronic fill-  
402 in form available on the building department's website or  
403 through a third-party submission management software. A building  
404 official may accept completed applications, including payments,  
405 attachments, drawings, or other requirements or parts of the  
406 ~~completed permit application, may also be submitted~~ in person in

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407 a nonelectronic format, ~~at the discretion of the building~~  
408 ~~official.~~

409 (c) A local government that issues building permits may  
410 send a written notice of expiration, by e-mail or United States  
411 Postal Service, to the owner of the property and the contractor  
412 listed on the permit, no less than 30 days before a building  
413 permit is set to expire. The written notice must identify the  
414 permit that is set to expire and the date the permit will  
415 expire. A building permit issued by a local government for a  
416 single-family dwelling expires 1 year after the issuance of the  
417 permit or on the effective date of the next edition of the  
418 Florida Building Code, whichever is later; however, this  
419 paragraph does not prevent a local government from extending the  
420 building permit beyond the expiration date.

421 (f) A local government may not require a contract between a  
422 builder and an owner, any copies of such contract, or any  
423 associated document, including, but not limited to, letters of  
424 intent, material costs lists, labor costs, or overhead or profit  
425 statements, for the issuance of a building permit or as a  
426 requirement for the submission of a building permit application.  
427 Inspection fees may not be based on the total cost of a project  
428 and may not exceed the actual inspection costs incurred by the  
429 local enforcement agency.

430 (g)1. A local government that issues building permits may  
431 not require an owner of a single-family dwelling or the owner's  
432 contractor to obtain a building permit to perform any work that  
433 is valued at less than \$7,500 on the owner's property. However,  
434 a local government may require a building permit for any  
435 electrical, plumbing, structural, mechanical, or gas work

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436 performed on a lot containing a single-family dwelling,  
437 regardless of the value of the work. A construction project may  
438 not be divided into more than one project for the purpose of  
439 evading the requirements of this section.

440 2. For any work performed by a person other than the  
441 property owner under the exemption in subparagraph 1., the  
442 person performing the work shall file a notice of permit  
443 exemption with the local enforcement agency which includes the  
444 name and license number of the person or entity hired to perform  
445 the work, the scope of the work performed, the property address  
446 at which the work was performed, and the value of such work as  
447 proof that such work complies with subparagraph 1. A notice of  
448 permit exemption must be filed within 30 days after the date the  
449 work begins. A notice is not required for work performed  
450 personally by the property owner. A local government has no  
451 legal duty to the owner or contractor, or the owner's or  
452 contractor's successors or assigns, for work performed under  
453 this paragraph.

454 (h)1. Except to the extent strictly necessary to maintain  
455 compliance with the National Flood Insurance Program for  
456 participating communities, a local government that issues  
457 building permits may not require an owner of a single-family or  
458 two-family dwelling, or the owner's contractor, to obtain a  
459 building permit for the installation of temporary residential  
460 hurricane and flood protection walls or barriers that meet all  
461 of the following conditions:

462 a. The wall or barrier is nonhabitable and nonload-bearing  
463 and is not more than 48 inches in height.

464 b. The wall or barrier is installed on the residential

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465 property of a single-family or two-family dwelling or townhouse.

466 c. The wall or barrier does not render a code-compliant  
467 building noncompliant with codes required at the time of  
468 original construction.

469 d. The wall or barrier is constructed to mitigate or  
470 prevent storm surge or floodwaters from entering a structure or  
471 property.

472 e. The wall or barrier is installed by a contractor  
473 licensed under part I of chapter 489.

474 f. The wall or barrier complies with applicable local  
475 zoning, drainage, easement, and setback requirements.

476 g. The wall or barrier complies with ANSI/FM 2510 or is  
477 designed and certified by a professional engineer licensed in  
478 this state based on site-specific engineering analysis.

479 2. A local government has no legal duty to the owner,  
480 contractor, or their successors, or assigns for work performed  
481 under this paragraph.

482 3. The commission may adopt rules pursuant to s. 120.54 to  
483 incorporate necessary standards to implement this paragraph.

484 (i) A local government that issues building permits may not  
485 require a building permit for each lot or parcel upon which a  
486 retaining wall is installed on the property of a single-family  
487 or two-family residential dwelling or a townhouse.

488 (j) This subsection may not be construed to limit a local  
489 government's authority under this chapter to maintain compliance  
490 with the regulations of the Federal Emergency Management Agency  
491 or the National Flood Insurance Program, regardless of the value  
492 of the work.

493 (24) (a) A political subdivision of this state may not adopt

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494 or enforce any ordinance or impose any building permit or other  
495 development order requirement that:

496 1. Contains any building, construction, or aesthetic  
497 requirement or condition that conflicts with or impairs  
498 corporate trademarks, service marks, trade dress, logos, color  
499 patterns, design scheme insignia, image standards, or other  
500 features of corporate branding identity on real property or  
501 improvements thereon used in activities conducted under chapter  
502 526 or in carrying out business activities defined as a  
503 franchise by Federal Trade Commission regulations in 16 C.F.R.  
504 ss. 436.1, et~~er~~ seq.; ~~or~~

505 2. Imposes any requirement on the design, construction, or  
506 location of signage advertising the retail price of gasoline in  
507 accordance with the requirements of ss. 526.111 and 526.121  
508 which prevents the signage from being clearly visible and  
509 legible to drivers of approaching motor vehicles from a vantage  
510 point on any lane of traffic in either direction on a roadway  
511 abutting the gas station premises and meets height, width, and  
512 spacing standards for Series C, D, or E signs, as applicable,  
513 published in the latest edition of Standard Alphabets for  
514 Highway Signs published by the United States Department of  
515 Commerce, Bureau of Public Roads, Office of Highway Safety; or

516 3. Imposes a glazing requirement that results in the  
517 glazing of more than 15 percent of the surface area of the  
518 primary facade for the first 10 feet above the ground floor for  
519 a proposed new commercial or mixed-use construction or  
520 restoration project, except for individually listed contributing  
521 structures in a National Register of Historic Places district.  
522 Such glazing requirements may not be imposed or enforced on any

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523 facade other than the primary facade, and such glazing  
524 requirements may not be imposed or enforced on any portion of  
525 the primary facade higher than the first 10 feet above the  
526 ground floor. For purposes of this subparagraph, the term:

527 a. "Glazing" means the installation of transparent or  
528 translucent materials, including glass or similar substances, in  
529 windows, doors, or storefronts. The term includes any actual or  
530 faux windows to be installed on a building facade.

531 b. "Primary facade" means the single building side housing  
532 the primary entrance to the building.

533 Section 7. Section 553.791, Florida Statutes, is amended to  
534 read:

535 553.791 Alternative plans review and inspection.—

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

537 (a) "Applicable codes" means the Florida Building Code and  
538 any local technical amendments to the Florida Building Code but  
539 does not include the applicable minimum fire prevention and  
540 firesafety codes adopted pursuant to chapter 633.

541 (b) "Audit" means the process to confirm that the building  
542 code inspection services have been performed by the private  
543 provider, including ensuring that the required affidavit for the  
544 plan review has been properly completed and submitted with the  
545 permit documents and that the minimum mandatory inspections  
546 required under the building code have been performed and  
547 properly recorded. The local building official may not replicate  
548 the plan review or inspection being performed by the private  
549 provider, unless expressly authorized by this section.

550 (c) "Building" means any construction, erection,  
551 alteration, demolition, or improvement of, or addition to, any

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552 structure or site work for which permitting by a local  
553 enforcement agency is required.

554 (d) "Building code inspection services" means those  
555 services described in s. 468.603(5) and (8) involving the review  
556 of building plans as well as those services involving the review  
557 of site plans and site work engineering plans or their  
558 functional equivalent, to determine compliance with applicable  
559 codes and those inspections required by law, conducted either in  
560 person or virtually, of each phase of construction for which  
561 permitting by a local enforcement agency is required to  
562 determine compliance with applicable codes.

563 (e) "Deliver" or "delivery" means any method of delivery  
564 used in conventional business or commercial practice, including  
565 delivery by electronic transmissions such as e-mail or  
566 submission through an electronic fill-in form available on the  
567 building department's website or through a third-party  
568 submission management software.

569 (f) "Duly authorized representative" means an agent of the  
570 private provider identified in the permit application who  
571 reviews plans or performs inspections as provided by this  
572 section and who is licensed as an engineer under chapter 471 or  
573 as an architect under chapter 481 or who holds a standard or  
574 provisional certificate under part XII of chapter 468. A duly  
575 authorized representative who only holds a provisional  
576 certificate under part XII of chapter 468 must be under the  
577 direct supervision of a person licensed as a building code  
578 administrator under part XII of chapter 468.

579 (g) "Electronic signature" means any letters, characters,  
580 or symbols manifested by electronic or similar means which are

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581 executed or adopted by a party with an intent to authenticate a  
582 writing or record.

583 (h) "Electronic transmission" or "submitted electronically"  
584 means any form or process of communication not directly  
585 involving the physical transfer of paper or another tangible  
586 medium which is suitable for the retention, retrieval, and  
587 reproduction of information by the recipient and is retrievable  
588 in paper form by the receipt through an automated process. All  
589 notices, documents, and applications provided for in this  
590 section may be transmitted electronically and ~~shall~~ have the  
591 same legal effect as if physically posted or mailed.

592 (i) "Electronically posted" means providing notices of  
593 decisions, results, or records, including inspection records,  
594 through the use of a website or other form of electronic  
595 communication used to transmit or display information.

596 (j) "Immediate threat to public safety and welfare" means a  
597 building code violation that, if allowed to persist, constitutes  
598 an immediate hazard that could result in death, serious bodily  
599 injury, or significant property damage. This paragraph does not  
600 limit the authority of the local building official to issue a  
601 Notice of Corrective Action at any time during the construction  
602 of a building project or any portion of such project if the  
603 official determines that a condition of the building or portion  
604 thereof may constitute a hazard when the building is put into  
605 use following completion as long as the condition cited is shown  
606 to be in violation of the building code or approved plans.

607 (k) "Local building official" means the individual within  
608 the governing jurisdiction responsible for direct regulatory  
609 administration or supervision of plans review, enforcement, and

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610 inspection of any construction, erection, alteration,  
611 demolition, or substantial improvement of, or addition to, any  
612 structure for which permitting is required to indicate  
613 compliance with applicable codes and includes any duly  
614 authorized designee of such person.

615 (1) "Permit application" means a properly completed and  
616 submitted application for the requested building or construction  
617 permit, including:

618 1. The plans reviewed by the private provider, or in the  
619 case of a single-trade plans review where a private provider  
620 uses an automated or software-based plans review system pursuant  
621 to subsection (7) ~~(6)~~, the information reviewed by the automated  
622 or software-based plans review system to determine compliance  
623 with one or more applicable codes.

624 2. The affidavit from the private provider required under  
625 subsection (7) ~~(6)~~.

626 3. Any applicable fees.

627 4. Any documents required by the local building official to  
628 determine that the fee owner has secured all other government  
629 approvals required by law.

630 (m) "Plans" means building plans, site engineering plans,  
631 or site plans, or their functional equivalent, submitted by a  
632 fee owner or fee owner's contractor to a private provider or  
633 duly authorized representative for review.

634 (n) "Private provider" means a person licensed as a  
635 building code administrator under part XII of chapter 468, as an  
636 engineer under chapter 471, or as an architect under chapter  
637 481. For purposes of performing inspections under this section  
638 for additions and alterations that are limited to 1,000 square

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639 feet or less to residential buildings, the term "private  
640 provider" also includes a person who holds a standard  
641 certificate under part XII of chapter 468.

642 (o) "Private provider firm" means a business organization,  
643 including a corporation, partnership, business trust, or other  
644 legal entity, which offers services under this chapter to the  
645 public through licensees who are acting as agents, employees,  
646 officers, or partners of the firm. A person who is licensed as a  
647 building code administrator under part XII of chapter 468, an  
648 engineer under chapter 471, or an architect under chapter 481  
649 may act as a private provider for an agent, employee, or officer  
650 of the private provider firm.

651 (p) "Registration" means the roster of authorized private  
652 provider firms held by each local enforcement agency.

653 (q)~~(p)~~ "Request for certificate of occupancy or certificate  
654 of completion" means a properly completed and executed  
655 application for:

- 656 1. A certificate of occupancy or certificate of completion.
- 657 2. A certificate of compliance from the private provider  
658 required under subsection (15) ~~(13)~~.
- 659 3. Any applicable fees.
- 660 4. Any documents required by the local building official to  
661 determine that the fee owner has secured all other government  
662 approvals required by law.

663 (r)~~(q)~~ "Single-trade inspection" or "single-trade plans  
664 review" means any inspection or plans review focused on a single  
665 construction trade, such as plumbing, mechanical, or electrical.  
666 The term includes, but is not limited to, inspections or plans  
667 reviews of door or window replacements; fences and block walls

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668 more than 6 feet high from the top of the wall to the bottom of  
669 the footing; stucco or plastering; reroofing with no structural  
670 alteration; solar energy and energy storage installations or  
671 alterations; HVAC replacements; ductwork or fan replacements;  
672 alteration or installation of wiring, lighting, and service  
673 panels; water heater changeouts; sink replacements; and  
674 repiping.

675 (s)~~(r)~~ "Site work" means the portion of a construction  
676 project that is not part of the building structure, including,  
677 but not limited to, grading, excavation, landscape irrigation,  
678 and installation of driveways.

679 (t)~~(s)~~ "Stop-work order" means the issuance of any written  
680 statement, written directive, or written order which states the  
681 reason for the order and the conditions under which the cited  
682 work will be permitted to resume.

683 (2) (a) Notwithstanding any other law or local government  
684 ordinance or local policy, the fee owner of a building or  
685 structure, or the fee owner's contractor upon explicit written  
686 authorization from the fee owner, may choose at any time to use  
687 a private provider to provide plans review or building code  
688 inspection services with regard to such building or structure  
689 and may make payment directly to the private provider for the  
690 provision of such services. All such services are ~~shall be~~ the  
691 subject of a ~~written~~ contract between the private provider, or  
692 the private provider's firm, and the fee owner or the fee  
693 owner's contractor, upon explicit written authorization of the  
694 fee owner and a copy of such explicit written authorization  
695 being submitted to the local building official. The local  
696 enforcement agency may not require the contract to be provided

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697 as part of the permit application or as a condition for issuing  
698 a permit. The fee owner may elect to use a private provider to  
699 provide plans review or required building inspections, or both.  
700 However, if the fee owner or the fee owner's contractor uses a  
701 private provider to provide plans review, the local building  
702 official, in his or her discretion and pursuant to duly adopted  
703 policies of the local enforcement agency, may require the fee  
704 owner or the fee owner's contractor to use a private provider to  
705 also provide required building inspections.

706 (b) If a fee ~~an~~ owner or the fee owner's contractor retains  
707 a private provider for purposes of plans review or building  
708 inspection services, the local jurisdiction must reduce the  
709 permit fee by the amount of cost savings realized by the local  
710 enforcement agency for not having to perform such services. Such  
711 reduction may be calculated on a flat fee or percentage basis,  
712 or any other reasonable means by which a local enforcement  
713 agency assesses the cost for its plans review or inspection  
714 services. The permit fee must be based on the cost incurred by  
715 the local jurisdiction, including the labor cost of the  
716 personnel providing such services and the clerical and  
717 supervisory assistance required to comply with this section. The  
718 local jurisdiction may not charge fees for plans review or  
719 building inspections if the fee owner or the fee owner's  
720 contractor hires a private provider to perform such services.  
721 The local enforcement agency may not charge punitive  
722 administrative fees when a fee owner has chosen to work with a  
723 private provider; ~~however, the local jurisdiction may charge a~~  
724 ~~reasonable administrative fee, which shall be based on the cost~~  
725 ~~that is actually incurred, including the labor cost of the~~

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726 ~~personnel providing the service, by the local jurisdiction or~~  
727 ~~attributable to the local jurisdiction for the clerical and~~  
728 ~~supervisory assistance required, or both.~~

729 (c) If a fee ~~an~~ owner or the fee owner's ~~a~~ contractor  
730 retains a private provider for purposes of plans review or  
731 building inspection services, the local jurisdiction must  
732 provide equal access to all permitting and inspection documents  
733 and reports to the private provider, fee owner, and contractor  
734 if such access is provided by software that protects exempt  
735 records from disclosure. Access to these documents must be  
736 promptly provided.

737 (d) If a fee owner or a fee owner's contractor retains a  
738 private provider for purposes of plans review or building  
739 inspection services for a commercial construction project, the  
740 local enforcement agency must reduce the permit fee by at least  
741 25 percent of the portion of the permit fee attributable to  
742 plans review or building inspection services, as applicable. If  
743 a fee owner or a fee owner's contractor retains a private  
744 provider for all required plans review and building inspection  
745 services, the local enforcement agency must reduce the total  
746 permit fee by at least 50 percent of the amount otherwise  
747 charged for such services. If a local enforcement agency does  
748 not reduce such fee by at least the percentages provided in this  
749 paragraph, the local enforcement agency forfeits the ability to  
750 collect any fees for the commercial construction project. The  
751 surcharge required by s. 553.721 must be calculated based on the  
752 reduced permit fee. This paragraph does not prohibit a local  
753 enforcement agency from reducing its fees in excess of the  
754 percentages provided in this paragraph.

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755 (e) A local government or local building official may not  
756 require additional forms beyond those required at registration,  
757 except for the written notice required under subsection (5), if  
758 a fee owner or the fee owner's contractor uses a private  
759 provider.

760 (3) A private provider and any duly authorized  
761 representative may only perform building code inspection  
762 services that are within the disciplines covered by that  
763 person's licensure or certification under chapter 468, chapter  
764 471, or chapter 481, including single-trade inspections. A  
765 private provider may not provide building code inspection  
766 services pursuant to this section upon any building designed or  
767 constructed by the private provider or the private provider's  
768 firm.

769 (4) A local enforcement agency shall create a registration  
770 system for private providers and private provider firms working  
771 in the local enforcement agency's jurisdiction. The local  
772 enforcement agency shall establish a method to register and  
773 update registration information electronically. The local  
774 enforcement agency may not charge an administrative fee for  
775 registration or updates to a registration. The private provider  
776 or private provider firm shall provide its contact information  
777 and verify compliance with the licensure requirements of  
778 paragraph (1)(n) or paragraph (1)(o), as applicable, and the  
779 insurance requirements of subsection (20). The private provider  
780 or private provider firm shall register with the local  
781 enforcement agency in the jurisdiction in which the provider or  
782 firm is working before contracting to provide services in such  
783 jurisdiction. The private provider or private provider firm must

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784 update its registration within 5 business days after any change  
785 to the provider's or firm's contact information, licensure, or  
786 insurance coverage.

787 (5)-(4) A fee owner or the fee owner's contractor using a  
788 private provider to provide building code inspection services  
789 shall notify the local building official in writing at the time  
790 of permit application, or by 2 p.m. local time, 2 business days  
791 before the first scheduled inspection by the local building  
792 official or building code enforcement agency that a private  
793 provider has been contracted to perform the required inspections  
794 of construction under this section, including single-trade  
795 inspections, on a form ~~to be~~ adopted by the commission. The  
796 local enforcement agency may not alter the form. Such ~~This~~  
797 notice must ~~shall~~ include the following information:

798 (a) The services to be performed by the private provider.

799 (b) The name, firm, address, telephone number, and e-mail  
800 address of each private provider who is performing or will  
801 perform such services, his or her professional license or  
802 certification number, ~~qualification statements or resumes,~~ and,  
803 if required by the local building official, a certificate of  
804 insurance demonstrating that professional liability insurance  
805 coverage is in place for the private provider's firm, the  
806 private provider, and any duly authorized representative in the  
807 amounts required by this section.

808 (c) An acknowledgment from the fee owner or the fee owner's  
809 contractor in substantially the following form:

810

811 I have elected to use one or more private providers to  
812 provide building code plans review and/or inspection

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813 services on the building or structure that is the  
814 subject of the enclosed permit application, as  
815 authorized by s. 553.791, Florida Statutes. I  
816 understand that the local building official may not  
817 review the plans submitted or perform the required  
818 building inspections to determine compliance with the  
819 applicable codes, except to the extent specified in  
820 said law. Instead, plans review and/or required  
821 building inspections will be performed by licensed or  
822 certified personnel identified in the application. The  
823 law requires minimum insurance requirements for such  
824 personnel, but I understand that I may require more  
825 insurance to protect my interests. By executing this  
826 form, I acknowledge that I have made inquiry regarding  
827 the competence of the licensed or certified personnel  
828 and the level of their insurance and am satisfied that  
829 my interests are adequately protected. I agree to  
830 indemnify, defend, and hold harmless the local  
831 government, the local building official, and their  
832 building code enforcement personnel from any and all  
833 claims arising from my use of these licensed or  
834 certified personnel to perform building code  
835 inspection services with respect to the building or  
836 structure that is the subject of the enclosed permit  
837 application.

838  
839 If the fee owner or the fee owner's contractor makes any changes  
840 to the listed private providers or the services to be provided  
841 by those private providers, the fee owner or the fee owner's

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842 contractor must ~~shall~~, within 1 business day after any change or  
843 within 2 business days before the next scheduled inspection,  
844 update the notice to reflect such changes. A change of a duly  
845 authorized representative named in the permit application does  
846 not require a revision of the permit, and the building code  
847 enforcement agency may ~~shall~~ not charge a fee for making the  
848 change.

849 (6) ~~(5)~~ After construction has commenced ~~and if either the~~  
850 ~~local building official is unable to provide inspection services~~  
851 ~~in a timely manner or the work subject to inspection is related~~  
852 ~~to a single-trade inspection for a single-family or two-family~~  
853 ~~dwelling~~, the fee owner or the fee owner's contractor may elect  
854 to use a private provider to provide inspection services for a  
855 single-trade inspection for a single-family or two-family  
856 dwelling by notifying the local building official of the owner's  
857 or contractor's intention to do so ~~by 2 p.m. local time, 2~~  
858 ~~business days~~ before the next scheduled inspection using the  
859 notice provided for in paragraphs (5) (a)-(c) ~~(4) (a)-(c)~~.

860 (7) ~~(6)~~ A private provider performing plans review under  
861 this section shall review the plans to determine compliance with  
862 the applicable codes. For single-trade plans reviews, a private  
863 provider may use an automated or software-based plans review  
864 system designed to determine compliance with one or more  
865 applicable codes, including, but not limited to, the National  
866 Electrical Code and the Florida Building Code. Upon determining  
867 that the plans reviewed comply with the applicable codes, the  
868 private provider shall prepare an affidavit or affidavits  
869 certifying, under oath, that the following is true and correct  
870 to the best of the private provider's knowledge and belief:

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871 (a) The plans were reviewed by the affiant, who is duly  
872 authorized to perform plans review pursuant to this section and  
873 holds the appropriate license or certificate.

874 (b) The plans comply with the applicable codes.

875

876 Such affidavit may bear a written or electronic signature and  
877 may be submitted electronically to the local building official.  
878 A local enforcement agency must accept electronically submitted  
879 affidavits.

880 (8) (a) The local building official may not review plans,  
881 construction drawings, or any other related documents determined  
882 by a private provider to be compliant with the applicable codes  
883 except to the extent necessary to determine compliance with  
884 local ordinances, floodplain management regulations, site review  
885 requirements, and any other administrative or life safety review  
886 unrelated to building code compliance.

887 (b) The local building official may review other forms and  
888 documents required under this section for completeness only. The  
889 local building official must provide written notice to a permit  
890 applicant of any incomplete forms or documents required under  
891 this section no later than 10 days after receipt of a permit  
892 application or, if the permit application is related to a  
893 single-trade plans review for a single-family or two-family  
894 dwelling, no later than 5 business days after receipt of a  
895 permit application, and an affidavit from the private provider  
896 as required in subsection (7). The written notice must state  
897 with specificity which forms or documents are incomplete.

898 ~~(7) (a) No more than 20 business days, or if the permit~~  
899 ~~application is related to a single trade plans review for a~~

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900 ~~single family or two family dwelling, no more than 5 business~~  
901 ~~days, after receipt of a permit application and the affidavit~~  
902 ~~from the private provider required pursuant to subsection (6),~~  
903 ~~the local building official shall issue the requested permit or~~  
904 ~~provide a written notice to the permit applicant identifying the~~  
905 ~~specific plan features that do not comply with the applicable~~  
906 ~~codes, as well as the specific code chapters and sections. If~~  
907 ~~the local building official does not provide such a written~~  
908 ~~notice of the plan deficiencies within the prescribed time~~  
909 ~~period, the permit application must be deemed approved as a~~  
910 ~~matter of law, and the permit must be issued by the local~~  
911 ~~building official on the next business day.~~

912 ~~(c)(b)~~ If the local building official provides a written  
913 ~~notice of plan deficiencies to the permit applicant of any~~  
914 ~~incomplete forms or documents required under this section at the~~  
915 ~~time of plan submission within the prescribed time period, such~~  
916 ~~the time period is tolled pending resolution of the matter. To~~  
917 ~~resolve the issues raised in the notice ~~plan deficiencies~~, the~~  
918 ~~permit applicant may elect to dispute the issues ~~deficiencies~~~~  
919 ~~pursuant to subsection (17) ~~(15)~~ or to submit revisions to~~  
920 ~~correct the issues ~~deficiencies~~.~~

921 ~~(d)(e)~~ If the permit applicant submits revisions, the local  
922 ~~building official has the remainder of the tolled 10-day or 5-~~  
923 ~~day time period plus 5 business days ~~after the date of~~~~  
924 ~~~~resubmittal~~ to issue the requested permit or to provide a second~~  
925 ~~written notice to the permit applicant stating which of the~~  
926 ~~previously identified forms or documents ~~plan features~~ remain~~  
927 ~~incomplete ~~in noncompliance with the applicable codes, with~~~~  
928 ~~~~specific reference to the relevant code chapters and sections.~~~~

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929 Any subsequent review by the local building official is limited  
930 to the issues ~~deficiencies~~ cited in the original written notice.  
931 If the local building official does not provide the second  
932 written notice within the prescribed time period, the permit  
933 must be deemed approved as a matter of law, and the local  
934 building official must issue the permit on the next business  
935 day.

936 (e) ~~(d)~~ If the local building official provides a second  
937 written notice ~~of plan deficiencies~~ to the permit applicant  
938 within the prescribed time period, the permit applicant may  
939 elect to dispute the issues raised in the second notice  
940 ~~deficiencies~~ pursuant to subsection (17) ~~(15)~~ or to submit  
941 additional revisions to correct the issues ~~deficiencies~~. For all  
942 revisions submitted after the first revision, the local building  
943 official has an additional 5 business days ~~after the date of~~  
944 ~~resubmittal~~ to issue the requested permit or to provide a  
945 written notice to the permit applicant stating which of the  
946 previously identified forms or documents ~~plan features~~ remain  
947 incomplete. If the local building official does not provide the  
948 notice within the prescribed time period, the permit is deemed  
949 approved as a matter of law, and the local building official  
950 must issue the permit on the next business day ~~in noncompliance~~  
951 ~~with the applicable codes, with specific reference to the~~  
952 ~~relevant code chapters and sections.~~

953 (9) ~~(8)~~ A private provider performing required inspections  
954 under this section shall inspect each phase of construction as  
955 required by the applicable codes. Such inspection, including a  
956 single-trade inspection, may be performed in person or  
957 virtually. The private provider may have a duly authorized

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958 representative perform the required inspections, provided all  
959 required reports are prepared by and bear the written or  
960 electronic signature of the private provider or the private  
961 provider's duly authorized representative. The duly authorized  
962 representative must be an employee of the private provider  
963 entitled to receive reemployment assistance benefits under  
964 chapter 443. The contractor's contractual or legal obligations  
965 are not relieved by any action of the private provider.

966 ~~(10)(9) A private provider performing required inspections~~  
967 ~~under this section shall provide notice to the local building~~  
968 ~~official of the approximate date and time of any such~~  
969 ~~inspection.~~ The local building official may not prohibit the  
970 private provider from performing any inspection outside the  
971 local building official's normal operating hours, including  
972 after hours, weekends, or holidays. ~~The local building official~~  
973 ~~may visit the building site as often as necessary to verify that~~  
974 ~~the private provider is performing all required inspections.~~ A  
975 deficiency notice must be posted by the private provider, the  
976 duly authorized representative of the private provider, or the  
977 building department whenever a noncomplying item related to the  
978 building code or the permitted documents is found. Such notice  
979 may be physically posted at the job site or electronically  
980 posted. After corrections are made, the item must be reinspected  
981 by the private provider or the representative of the private  
982 provider before being concealed. ~~Reinspection or reaudit fees~~  
983 ~~shall not be charged by~~ The local jurisdiction may not charge  
984 reinspection or reaudit fees as a result of the local  
985 jurisdiction's audit inspection occurring before the performance  
986 of the private provider's inspection or for any other

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987 administrative matter not involving the detection of a violation  
988 of the building code or a permit requirement.

989 (11) A local enforcement agency is not responsible for the  
990 regulatory administration or supervision of building code  
991 inspection services performed by a private provider hired by a  
992 fee owner or the fee owner's contractor. A local enforcement  
993 agency may not require additional verification of licensure or  
994 insurance requirements beyond that which is required at  
995 registration.

996 (12)~~(10)~~ If the private provider is a person licensed as an  
997 engineer under chapter 471 or an architect under chapter 481 and  
998 affixes his or her professional seal to the affidavit required  
999 under subsection (7) ~~(6)~~, the local building official must issue  
1000 the requested permit or provide a written notice to the permit  
1001 applicant identifying the specific plan features that do not  
1002 comply with the applicable codes, as well as the specific code  
1003 chapters and sections, within 10 business days after receipt of  
1004 the permit application and affidavit. In such written notice,  
1005 the local building official must provide with specificity the  
1006 plan's deficiencies, the reasons the permit application failed,  
1007 and the applicable codes being violated. If the local building  
1008 official does not provide specific written notice to the permit  
1009 applicant within the prescribed 10-day period, the permit  
1010 application is deemed approved as a matter of law, and the local  
1011 building official must issue the permit on the next business  
1012 day.

1013 (13)~~(11)~~ If equipment replacements and repairs must be  
1014 performed in an emergency situation, subject to the emergency  
1015 permitting provisions of the Florida Building Code, a private

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1016 provider may perform emergency inspection services without first  
1017 notifying the local building official ~~pursuant to subsection~~  
1018 ~~(9)~~. A private provider must conduct the inspection within 3  
1019 business days after being contacted to conduct an emergency  
1020 inspection and must submit the inspection report to the local  
1021 building official within 1 day after the inspection is  
1022 completed.

1023 (14)~~(12)~~ Upon completing the required inspections at each  
1024 applicable phase of construction, the private provider shall  
1025 record such inspections on a form provided by the commission  
1026 ~~acceptable to the local building official~~. The form must bear  
1027 the written or electronic signature of the private provider or  
1028 the private provider's duly authorized representative. Such  
1029 ~~These~~ inspection records must ~~shall~~ reflect those inspections  
1030 required by the applicable codes of each phase of construction  
1031 for which permitting by a local enforcement agency is required.  
1032 The private provider, upon completion of the required  
1033 inspection, shall post each completed inspection record,  
1034 indicating pass or fail, and provide the record to the local  
1035 building official within 4 ~~2~~ business days. Such inspection  
1036 record may be electronically posted by the private provider, or  
1037 the private provider may post such inspection record physically  
1038 at the project site. The private provider may electronically  
1039 transmit the record to the local building official. The local  
1040 building official may waive the requirement to provide a record  
1041 of each inspection within 4 ~~2~~ business days if the record is  
1042 electronically posted or posted at the project site and all such  
1043 inspection records are submitted with the certificate of  
1044 compliance. Unless the records have been electronically posted

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1045 or transmitted, records of all required and completed  
1046 inspections must ~~shall~~ be maintained at the building site at all  
1047 times and made available for review by the local building  
1048 official. A local building official may not fail any inspection  
1049 performed by a private provider for not having the inspection  
1050 records at the job site if the inspection records have been  
1051 electronically transmitted to the local building official within  
1052 the 4-business-day requirement. The private provider shall  
1053 report to the local enforcement agency any condition that poses  
1054 an immediate threat to public safety and welfare.

1055 ~~(15)-(13)~~ Upon completion of all required inspections, the  
1056 private provider firm shall prepare a certificate of compliance,  
1057 on a form provided by the commission ~~acceptable to the local~~  
1058 ~~building official~~, summarizing the inspections performed and  
1059 including a written representation, under oath, that the stated  
1060 inspections have been performed and that, to the best of the  
1061 private provider's knowledge and belief, the building  
1062 construction inspected complies with the approved plans and  
1063 applicable codes. The certificate of compliance may be signed by  
1064 any qualified licensed individual employed full time by the  
1065 private provider firm under whose authority the inspection was  
1066 completed. The statement required of the private provider must  
1067 ~~shall~~ be substantially in the following form and must ~~shall~~ be  
1068 signed and sealed by a private provider as established in  
1069 subsection (1) or may be electronically transmitted to the local  
1070 building official:

1071  
1072 To the best of my knowledge and belief, the building  
1073 components and site improvements outlined herein and

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1074 inspected under my authority have been completed in  
1075 conformance with the approved plans and the applicable  
1076 codes.

1077  
1078 (16) (a) ~~(14) (a)~~ The local building official may only perform  
1079 building inspections of construction that a private provider has  
1080 determined to be compliant with the applicable codes if the  
1081 local building official has actual knowledge that the private  
1082 provider did not perform the required inspections. If the local  
1083 building official has such knowledge, the local building  
1084 official must provide to the private provider written notice of  
1085 the facts and circumstances upon which the local building  
1086 official relied for such knowledge before performing a required  
1087 inspection. The local building official may review forms and  
1088 documents required under this section for completeness only. No  
1089 more than 10 business days, or if the permit is related to  
1090 single-family or two-family dwellings then no more than 2  
1091 business days, after receipt of a request for a certificate of  
1092 occupancy or certificate of completion and the applicant's  
1093 presentation of a certificate of compliance and approval of all  
1094 other government approvals required by law, including the  
1095 payment of all outstanding fees, the local building official  
1096 shall issue the certificate of occupancy or certificate of  
1097 completion or provide a notice to the applicant of any  
1098 incomplete forms or documents required under this section  
1099 identifying the specific deficiencies, as well as the specific  
1100 code chapters and sections.

1101 (b) If the local building official does not provide notice  
1102 of any incomplete forms or documents ~~the deficiencies~~ within the

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1103 applicable time periods under paragraph (a), the request for a  
1104 certificate of occupancy or certificate of completion is  
1105 automatically granted and deemed issued as of the next business  
1106 day. The local building official must provide the applicant with  
1107 the written certificate of occupancy or certificate of  
1108 completion within 10 days after it is automatically granted and  
1109 issued. To resolve any identified issues ~~deficiencies~~, the  
1110 applicant may elect to dispute the issues ~~deficiencies~~ pursuant  
1111 to subsection (17) ~~(15)~~ or to submit a corrected request for a  
1112 certificate of occupancy or certificate of completion.

1113 (17) ~~(15)~~ If the local building official determines that the  
1114 building construction or plans do not comply with the applicable  
1115 codes, the official may deny the permit or request for a  
1116 certificate of occupancy or certificate of completion, as  
1117 appropriate, or may issue a stop-work order for the project or  
1118 any portion thereof as provided by law, if the official  
1119 determines that the noncompliance poses an immediate threat to  
1120 public safety and welfare, subject to the following:

1121 (a) The local building official must ~~shall~~ be available to  
1122 meet with the private provider within 2 business days to resolve  
1123 any dispute after issuing a stop-work order or providing notice  
1124 to the applicant denying a permit or request for a certificate  
1125 of occupancy or certificate of completion.

1126 (b) If the local building official and private provider are  
1127 unable to resolve the dispute, the matter must ~~shall~~ be referred  
1128 to the local enforcement agency's board of appeals, if one  
1129 exists, which must ~~shall~~ consider the matter at its next  
1130 scheduled meeting or sooner. Any decisions by the local  
1131 enforcement agency's board of appeals, or local building

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1132 official if there is no board of appeals, may be appealed to the  
1133 commission as provided by this chapter.

1134 (c) Notwithstanding ~~any provision of~~ this section, any  
1135 decisions regarding the issuance of a building permit,  
1136 certificate of occupancy, or certificate of completion may be  
1137 reviewed by the local enforcement agency's board of appeals, if  
1138 one exists. Any decision by the local enforcement agency's board  
1139 of appeals, or local building official if there is no board of  
1140 appeals, may be appealed to the commission as provided by this  
1141 chapter, which shall consider the matter at the commission's  
1142 next scheduled meeting.

1143 (18)~~(16)~~ For the purposes of this section, any notice to be  
1144 provided by the local building official is ~~shall be~~ deemed to be  
1145 provided to the person or entity when successfully transmitted  
1146 to the e-mail address listed for that person or entity in the  
1147 permit application or revised permit application, or, if no e-  
1148 mail address is stated, when actually received by that person or  
1149 entity.

1150 (19) (a)~~(17) (a)~~ A local enforcement agency, local building  
1151 official, or local government may not adopt or enforce any laws,  
1152 rules, procedures, policies, qualifications, or standards more  
1153 stringent than those prescribed by this section.

1154 ~~(b) A local enforcement agency, local building official, or~~  
1155 ~~local government may establish, for private providers, private~~  
1156 ~~provider firms, and duly authorized representatives working~~  
1157 ~~within that jurisdiction, a system of registration to verify~~  
1158 ~~compliance with the licensure requirements of paragraph (1) (n)~~  
1159 ~~and the insurance requirements of subsection (18).~~

1160 (b) (e) This section does not limit the authority of the

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1161 local building official to issue a stop-work order for a  
1162 building project or any portion of the project, as provided by  
1163 law, if the official determines that a condition on the building  
1164 site constitutes an immediate threat to public safety and  
1165 welfare.

1166 (c) A local enforcement agency may not prohibit or limit  
1167 private providers from using virtual inspections if a virtual  
1168 inspection is not prohibited by any applicable code.

1169 (20)~~(18)~~ A private provider may perform building code  
1170 inspection services on a building project under this section  
1171 only if the private provider maintains insurance for  
1172 professional liability covering all services performed as a  
1173 private provider. Such insurance must ~~shall~~ have minimum policy  
1174 limits of \$1 million per occurrence and \$2 million in the  
1175 aggregate for any project with a construction cost of \$5 million  
1176 or less and \$2 million per occurrence and \$4 million in the  
1177 aggregate for any project with a construction cost of over \$5  
1178 million. Nothing in this section limits the ability of a fee  
1179 owner to require additional insurance or higher policy limits.  
1180 For these purposes, the term "construction cost" means the total  
1181 cost of building construction as stated in the building permit  
1182 application. If the private provider chooses to secure claims-  
1183 made coverage to fulfill this requirement, the private provider  
1184 must also maintain coverage for a minimum of 5 years after  
1185 ~~subsequent to~~ the performance of building code inspection  
1186 services. The insurance required under this subsection must  
1187 ~~shall~~ be written only by insurers authorized to do business in  
1188 this state with a minimum A.M. Best's rating of A. Before  
1189 providing building code inspection services within a local

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1190 building official's jurisdiction, a private provider must  
1191 provide to the local building official a certificate of  
1192 insurance evidencing that the coverages required under this  
1193 subsection are in force.

1194 (21)~~(19)~~ When performing building code inspection services,  
1195 a private provider is subject to the disciplinary guidelines of  
1196 the applicable professional board with jurisdiction over his or  
1197 her license or certification under chapter 468, chapter 471, or  
1198 chapter 481. All private providers are ~~shall be~~ subject to the  
1199 disciplinary guidelines of s. 468.621(1)(c)-(h). Any complaint  
1200 processing, investigation, and discipline that arise out of a  
1201 private provider's performance of building code inspection  
1202 services must ~~shall~~ be conducted by the applicable professional  
1203 board.

1204 (22)~~(20)~~ A local building code enforcement agency may not  
1205 audit the performance of building code inspection services by  
1206 private providers operating within the local jurisdiction until  
1207 the agency has created standard operating private provider audit  
1208 procedures for the agency's internal inspection and review  
1209 staff, which includes, at a minimum, the private provider audit  
1210 purpose and scope, private provider audit criteria, an  
1211 explanation of private provider audit processes and objections,  
1212 and detailed findings of areas of noncompliance. Such private  
1213 provider audit procedures must be publicly available online, and  
1214 a printed version must be readily accessible in agency  
1215 buildings. The private provider audit results of staff for the  
1216 prior two quarters also must be publicly available. The agency's  
1217 audit processes must adhere to the agency's posted standard  
1218 operating audit procedures. The same private provider or private

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1219 provider firm may not be audited more than four times in a year  
1220 unless the local building official determines a condition of a  
1221 building constitutes an immediate threat to public safety and  
1222 welfare, which must be communicated in writing to the private  
1223 provider or private provider firm. The private provider or  
1224 private provider firm must be given notice of each audit to be  
1225 performed at least 5 business days before the audit. Work on a  
1226 building or structure may proceed after inspection and approval  
1227 by a private provider. The work may not be delayed for  
1228 completion of an inspection audit by the local building code  
1229 enforcement agency.

1230 (23)~~(21)~~ The local government, ~~the~~ local building official,  
1231 and ~~their~~ building code enforcement personnel are ~~shall be~~  
1232 immune from liability to any person or party for any action or  
1233 inaction by a fee owner of a building, or by a private provider  
1234 or its duly authorized representative, in connection with  
1235 building code inspection services as authorized in this act. The  
1236 local government, local enforcement agency, local building  
1237 official, and building code enforcement personnel may not  
1238 prohibit or discourage the use of a private provider or a  
1239 private provider firm.

1240 (24)~~(22)~~ Notwithstanding any other law, a county, a  
1241 municipality, a school district, or an independent special  
1242 district may use a private provider or a private provider firm,  
1243 or may employ a licensed building inspector as described in s.  
1244 468.603 or a person who holds the same licensure or  
1245 certification as a private provider, to provide building code  
1246 inspection services for a public works project, an improvement,  
1247 a building, or any other structure that is owned by the county,

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1248 municipality, school district, or independent special district.

1249 Section 8. Paragraph (a) of subsection (1) of section  
1250 553.792, Florida Statutes, is amended to read:

1251 553.792 Building permit application to local government.—

1252 (1) (a) A local government must approve, approve with  
1253 conditions, or deny a building permit application after receipt  
1254 of a completed and sufficient application within the following  
1255 timeframes, unless the applicant waives such timeframes in  
1256 writing:

1257 1. Within 5 business days after receiving a complete and  
1258 sufficient application, for an applicant using a local  
1259 government plans reviewer to obtain the following building  
1260 permits for an existing single-family residential dwelling if  
1261 the value of the work is less than \$15,000: structural,  
1262 accessory structure, alarm, electrical, gas, irrigation,  
1263 landscaping, mechanical, plumbing, or roofing.

1264 ~~2.1.~~ Within 30 business days after receiving a complete and  
1265 sufficient application, for an applicant using a local  
1266 government plans reviewer to obtain the following building  
1267 permits if the structure is less than 7,500 square feet:  
1268 residential units, including a single-family residential unit or  
1269 a single-family residential dwelling, accessory structure,  
1270 alarm, electrical, irrigation, landscaping, mechanical,  
1271 plumbing, or roofing.

1272 ~~3.2.~~ Within 60 business days after receiving a complete and  
1273 sufficient application, for an applicant using a local  
1274 government plans reviewer to obtain the following building  
1275 permits if the structure is 7,500 square feet or more:  
1276 residential units, including a single-family residential unit or

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1277 a single-family residential dwelling, accessory structure,  
1278 alarm, electrical, irrigation, landscaping, mechanical,  
1279 plumbing, or roofing.

1280 4.3. Within 60 business days after receiving a complete and  
1281 sufficient application, for an applicant using a local  
1282 government plans reviewer to obtain the following building  
1283 permits: signs or nonresidential buildings that are less than  
1284 25,000 square feet.

1285 5.4. Within 60 business days after receiving a complete and  
1286 sufficient application, for an applicant using a local  
1287 government plans reviewer to obtain the following building  
1288 permits: multifamily residential, not exceeding 50 units; site-  
1289 plan approvals and subdivision plats not requiring public  
1290 hearing or public notice; and lot grading and site alteration.

1291 6.5. Within 12 business days after receiving a complete and  
1292 sufficient application, for an applicant using a master building  
1293 permit consistent with s. 553.794 to obtain a site-specific  
1294 building permit.

1295 7.6. Within 10 business days after receiving a complete and  
1296 sufficient application, for an applicant for a single-family  
1297 residential dwelling applied for by a contractor licensed in  
1298 this state on behalf of a property owner who participates in a  
1299 Community Development Block Grant-Disaster Recovery program  
1300 ~~administered by the Department of Commerce~~, unless the permit  
1301 application fails to satisfy the Florida Building Code or the  
1302 enforcing agency's laws or ordinances.

1303

1304 However, the local government may not require the waiver of the  
1305 timeframes in this section as a condition precedent to reviewing

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1306 an applicant's building permit application.

1307 Section 9. Paragraph (c) is added to subsection (1) of  
1308 section 720.3035, Florida Statutes, to read:

1309 720.3035 Architectural control covenants; parcel owner  
1310 improvements; rights and privileges.—

1311 (1)

1312 (c) An association or any architectural, construction  
1313 improvement, or other such similar committee of an association  
1314 may not require a building permit to be issued by a governmental  
1315 authority to a parcel owner as a prerequisite for review by the  
1316 association or committee concerning the construction of  
1317 structures or improvements on the parcel.

1318 Section 10. This act shall take effect July 1, 2026.