

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Trabulsy offered the following:

Amendment (with title amendment)

Remove lines 489-1251 and insert:

fee owner. A copy of such written authorization must be submitted to the local building official. The local enforcement agency may not require the contract to be provided as part of the permit application or as a condition for issuing a permit.

The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner's contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies

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14 of the local enforcement agency, may require the fee owner or
15 the fee owner's contractor to use a private provider to also
16 provide required building inspections.

17 (b) If a fee an owner or the fee owner's contractor
18 retains a private provider for purposes of plans review or
19 building inspection services, the local jurisdiction must reduce
20 the permit fee by the amount of cost savings realized by the
21 local enforcement agency for not having to perform such
22 services. Such reduction may be calculated on a flat fee or
23 percentage basis, or any other reasonable means by which a local
24 enforcement agency assesses the cost for its plans review or
25 inspection services. The permit fee must be based on the cost
26 incurred by the local jurisdiction, including the labor cost of
27 the personnel providing such services and the clerical and
28 supervisory assistance required to comply with this section. The
29 local jurisdiction may not charge fees for plans review or
30 building inspections if the fee owner or the fee owner's
31 contractor hires a private provider to perform such services.
32 The local enforcement agency may not charge punitive
33 administrative fees when a fee owner has chosen to work with a
34 private provider; however, the local jurisdiction may charge a
35 reasonable administrative fee, which shall be based on the cost
36 that is actually incurred, including the labor cost of the
37 personnel providing the service, by the local jurisdiction or

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38 ~~attributable to the local jurisdiction for the clerical and~~
39 ~~supervisory assistance required, or both.~~

40 (c) If a fee an owner or the fee owner's a contractor
41 retains a private provider for purposes of plans review or
42 building inspection services, the local jurisdiction must
43 provide equal access to all permitting and inspection documents
44 and reports to the private provider, owner, and contractor if
45 such access is provided by software that protects exempt records
46 from disclosure. Access to these documents must be promptly
47 provided.

48 (d) If a fee owner or the fee owner's contractor retains a
49 private provider for purposes of plans review or building
50 inspection services for a commercial construction project, the
51 local enforcement agency must reduce the permit fee by at least
52 25 percent of the portion of the permit fee attributable to
53 plans review or building inspection services, as applicable. If
54 the fee owner or the fee owner's contractor retains a private
55 provider for all required plans review and building inspection
56 services, the local enforcement agency must reduce the total
57 permit fee by at least 50 percent of the amount otherwise
58 charged for such services. If the local enforcement agency does
59 not reduce such fee by at least the percentages provided in this
60 paragraph, the local enforcement agency forfeits the ability to
61 collect any fees for the commercial construction project. The
62 surcharge required by s. 553.721 must be calculated based on the

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63 amount of the reduced permit fee. This paragraph does not
64 prohibit a local enforcement agency from reducing a permit fee
65 in excess of the percentages provided in this paragraph.

66 (e) A local government or local building official may not
67 require additional forms beyond those required at registration,
68 except for the written notice required under subsection (5), if
69 a fee owner or the fee owner's contractor uses a private
70 provider.

71 (3) A private provider and any duly authorized
72 representative may only perform building code inspection
73 services that are within the disciplines covered by that
74 person's licensure or certification under chapter 468, chapter
75 471, or chapter 481, including single-trade inspections. A
76 private provider may not provide building code inspection
77 services pursuant to this section upon any building designed or
78 constructed by the private provider or the private provider's
79 firm.

80 (4) A local enforcement agency must create a registration
81 system for private providers and private provider firms working
82 in the local enforcement agency's jurisdiction. A local
83 enforcement agency must have a method to register and update
84 registration information electronically. The local enforcement
85 agency may not charge an administrative fee for registration or
86 updates to a registration. The private provider or private
87 provider firm must provide its contact information and verify

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88 compliance with the licensure requirements of paragraph (1)(n)
89 or paragraph (1)(o), as applicable, and the insurance
90 requirements of subsection (20). The private provider or private
91 provider firm must register with the local enforcement agency in
92 the jurisdiction in which the provider or firm is working before
93 contracting to provide services in such jurisdiction. The
94 private provider or private provider firm must update its
95 registration within 5 business days after any change to the
96 provider's or firm's contact information, licensure, or
97 insurance coverage.

98 (5)-(4) A fee owner or the fee owner's contractor using a
99 private provider to provide building code inspection services
100 shall notify the local building official in writing at the time
101 of permit application, or by 2 p.m. local time, 2 business days
102 before the first scheduled inspection by the local building
103 official or building code enforcement agency that a private
104 provider has been contracted to perform the required inspections
105 of construction under this section, including single-trade
106 inspections, on a form ~~to be~~ adopted by the commission. The
107 local enforcement agency may not alter the form. This notice
108 must ~~shall~~ include the following information:

- 109 (a) The services to be performed by the private provider.
110 (b) The name, firm, address, telephone number, and e-mail
111 address of each private provider who is performing or will
112 perform such services, his or her professional license or

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113 certification number, ~~qualification statements or resumes,~~ and,
114 if required by the local building official, a certificate of
115 insurance demonstrating that professional liability insurance
116 coverage is in place for the private provider's firm, the
117 private provider, and any duly authorized representative in the
118 amounts required by this section.

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

121
122 I have elected to use one or more private providers to
123 provide building code plans review and/or inspection
124 services on the building or structure that is the
125 subject of the enclosed permit application, as
126 authorized by s. 553.791, Florida Statutes. I
127 understand that the local building official may not
128 review the plans submitted or perform the required
129 building inspections to determine compliance with the
130 applicable codes, except to the extent specified in
131 said law. Instead, plans review and/or required
132 building inspections will be performed by licensed or
133 certified personnel identified in the application. The
134 law requires minimum insurance requirements for such
135 personnel, but I understand that I may require more
136 insurance to protect my interests. By executing this
137 form, I acknowledge that I have made inquiry regarding

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138 the competence of the licensed or certified personnel
139 and the level of their insurance and am satisfied that
140 my interests are adequately protected. I agree to
141 indemnify, defend, and hold harmless the local
142 government, the local building official, and their
143 building code enforcement personnel from any and all
144 claims arising from my use of these licensed or
145 certified personnel to perform building code
146 inspection services with respect to the building or
147 structure that is the subject of the enclosed permit
148 application.

149
150 If the fee owner or the fee owner's contractor makes any changes
151 to the listed private providers or the services to be provided
152 by those private providers, the fee owner or the fee owner's
153 contractor shall, within 1 business day after any change or
154 within 2 business days before the next scheduled inspection,
155 update the notice to reflect such changes. A change of a duly
156 authorized representative named in the permit application does
157 not require a revision of the permit, and the building code
158 enforcement agency shall not charge a fee for making the change.

159 ~~(6) (5) After construction has commenced and if either the~~
160 ~~local building official is unable to provide inspection services~~
161 ~~in a timely manner or the work subject to inspection is related~~
162 ~~to a single trade inspection for a single family or two family~~

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163 ~~dwelling~~, the fee owner or the fee owner's contractor may elect
164 to use a private provider to provide inspection services for a
165 single-trade inspection for a single-family or two-family
166 dwelling by notifying the local building official of the owner's
167 or contractor's intention to do so ~~by 2 p.m. local time, 2~~
168 ~~business days~~ before the next scheduled inspection using the
169 notice provided for in paragraphs (5) (a) - (c) ~~(4) (a) - (c)~~.

170 (7)-(6) A private provider performing plans review under
171 this section shall review the plans to determine compliance with
172 the applicable codes. For single-trade plans reviews, a private
173 provider may use an automated or software-based plans review
174 system designed to determine compliance with one or more
175 applicable codes, including, but not limited to, the National
176 Electrical Code and the Florida Building Code. Upon determining
177 that the plans reviewed comply with the applicable codes, the
178 private provider shall prepare an affidavit or affidavits
179 certifying, under oath, that the following is true and correct
180 to the best of the private provider's knowledge and belief:

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

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

185
186 Such affidavit may bear a written or electronic signature and
187 may be submitted electronically to the local building official.

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188 A local enforcement agency must accept electronically submitted
189 affidavits.

190 (8) (a) The local building official may not review plans,
191 construction drawings, or any other related documents determined
192 by a private provider to be compliant with the applicable codes,
193 except to the extent necessary to determine compliance with
194 local ordinances, floodplain management regulations, site review
195 requirements, and any other administrative or life-safety review
196 unrelated to building code compliance.

197 (b) The local building official may review other forms and
198 documents required under this section for completeness only. The
199 local building official must provide written notice to a permit
200 applicant of any incomplete forms or documents required under
201 this section no later than 10 business days after receipt of a
202 permit application or, if the permit application is relating to
203 a single-trade plans review for a single-family or two-family
204 dwelling, no later than 5 business days after receipt of a
205 permit application, and an affidavit from the private provider
206 as required in subsection (7). The written notice must state
207 with specificity which forms or documents are incomplete.

208 ~~(7) (a) No more than 20 business days, or if the permit~~
209 ~~application is related to a single-trade plans review for a~~
210 ~~single-family or two-family dwelling, no more than 5 business~~
211 ~~days, after receipt of a permit application and the affidavit~~
212 ~~from the private provider required pursuant to subsection (6),~~

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213 ~~the local building official shall issue the requested permit or~~
214 ~~provide a written notice to the permit applicant identifying the~~
215 ~~specific plan features that do not comply with the applicable~~
216 ~~codes, as well as the specific code chapters and sections. If~~
217 the local building official does not provide such a written
218 notice ~~of the plan deficiencies~~ within the prescribed time
219 period, the permit ~~application~~ must be deemed approved as a
220 matter of law, and the permit must be issued by the local
221 building official on the next business day.

222 (c) ~~(b)~~ If the local building official provides a written
223 notice ~~of plan deficiencies~~ to the permit applicant of any
224 incomplete forms or documents required under this section at the
225 time of plan submission within the prescribed time period, such
226 ~~the~~ time period is tolled pending resolution of the matter. To
227 resolve the issues raised in the notice ~~plan deficiencies~~, the
228 permit applicant may elect to dispute the issues ~~deficiencies~~
229 pursuant to subsection (17) ~~(15)~~ or to submit revisions to
230 correct the issues ~~deficiencies~~.

231 (d) ~~(e)~~ If the permit applicant submits revisions, the
232 local building official has the remainder of the tolled 10-day
233 or 5-day time period plus 5 business days ~~after the date of~~
234 ~~resubmittal~~ to issue the requested permit or to provide a second
235 written notice to the permit applicant stating which of the
236 previously identified forms or documents ~~plan features~~ remain
237 incomplete ~~in noncompliance with the applicable codes, with~~

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238 ~~specific reference to the relevant code chapters and sections.~~
239 Any subsequent review by the local building official is limited
240 to the issues ~~deficiencies~~ cited in the original written notice.
241 If the local building official does not provide the second
242 written notice within the prescribed time period, the permit
243 must be deemed approved as a matter of law, and the local
244 building official must issue the permit on the next business
245 day.

246 (e) ~~(d)~~ If the local building official provides a second
247 written notice ~~of plan deficiencies~~ to the permit applicant
248 within the prescribed time period, the permit applicant may
249 elect to dispute the issues raised in the second notice
250 ~~deficiencies~~ pursuant to subsection (17) ~~(15)~~ or to submit
251 additional revisions to correct the issues ~~deficiencies~~. For all
252 revisions submitted after the first revision, the local building
253 official has an additional 5 business days ~~after the date of~~
254 ~~resubmittal~~ to issue the requested permit or to provide a
255 written notice to the permit applicant stating which of the
256 previously identified forms or documents ~~plan features~~ remain
257 incomplete. If the local building official does not provide the
258 notice within the prescribed time period, the permit shall be
259 deemed approved as a matter of law, and the local building
260 official must issue the permit on the next business day ~~in~~
261 ~~noncompliance with the applicable codes, with specific reference~~
262 ~~to the relevant code chapters and sections.~~

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263 ~~(9)~~⁽⁸⁾ A private provider performing required inspections
264 under this section shall inspect each phase of construction as
265 required by the applicable codes. Such inspection, including a
266 single-trade inspection, may be performed in person or
267 virtually. The private provider may have a duly authorized
268 representative perform the required inspections, provided all
269 required reports are prepared by and bear the written or
270 electronic signature of the private provider or the private
271 provider's duly authorized representative. The duly authorized
272 representative must be an employee of the private provider
273 entitled to receive reemployment assistance benefits under
274 chapter 443. The contractor's contractual or legal obligations
275 are not relieved by any action of the private provider.

276 ~~(10)~~⁽⁹⁾ ~~A private provider performing required inspections~~
277 ~~under this section shall provide notice to the local building~~
278 ~~official of the approximate date and time of any such~~
279 ~~inspection.~~ The local building official may not prohibit the
280 private provider from performing any inspection outside the
281 local building official's normal operating hours, including
282 after hours, weekends, or holidays. ~~The local building official~~
283 ~~may visit the building site as often as necessary to verify that~~
284 ~~the private provider is performing all required inspections.~~ A
285 deficiency notice must be posted by the private provider, the
286 duly authorized representative of the private provider, or the
287 building department whenever a noncomplying item related to the

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288 building code or the permitted documents is found. Such notice
289 may be physically posted at the job site or electronically
290 posted. After corrections are made, the item must be reinspected
291 by the private provider or the representative of the private
292 provider before being concealed. ~~Reinspection or reaudit fees~~
293 ~~shall not be charged by~~ The local jurisdiction may not charge
294 reinspection or reaudit fees as a result of the local
295 jurisdiction's audit inspection occurring before the performance
296 of the private provider's inspection or for any other
297 administrative matter not involving the detection of a violation
298 of the building code or a permit requirement.

299 (11) A local enforcement agency is not responsible for the
300 regulatory administration or supervision of building code
301 inspection services performed by a private provider hired by a
302 fee owner or the fee owner's contractor. A local enforcement
303 agency may not require additional verification of licensure or
304 insurance requirements beyond that which is required at
305 registration.

306 (12)~~(10)~~ If the private provider is a person licensed as
307 an engineer under chapter 471 or an architect under chapter 481
308 and affixes his or her professional seal to the affidavit
309 required under subsection (7) ~~(6)~~, the local building official
310 must issue the requested permit or provide a written notice to
311 the permit applicant identifying the specific plan features that
312 do not comply with the applicable codes, as well as the specific

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313 code chapters and sections, within 10 business days after
314 receipt of the permit application and affidavit. In such written
315 notice, the local building official must provide with
316 specificity the plan's deficiencies, the reasons the permit
317 application failed, and the applicable codes being violated. If
318 the local building official does not provide specific written
319 notice to the permit applicant within the prescribed 10-day
320 period, the permit application is deemed approved as a matter of
321 law, and the local building official must issue the permit on
322 the next business day.

323 (13) ~~(11)~~ If equipment replacements and repairs must be
324 performed in an emergency situation, subject to the emergency
325 permitting provisions of the Florida Building Code, a private
326 provider may perform emergency inspection services without first
327 notifying the local building official ~~pursuant to subsection~~
328 ~~(9)~~. A private provider must conduct the inspection within 3
329 business days after being contacted to conduct an emergency
330 inspection and must submit the inspection report to the local
331 building official within 1 day after the inspection is
332 completed.

333 (14) ~~(12)~~ Upon completing the required inspections at each
334 applicable phase of construction, the private provider shall
335 record such inspections on a form provided by the commission
336 ~~acceptable to the local building official~~. The form must bear
337 the written or electronic signature of the private provider or

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338 the private provider's duly authorized representative. These
339 inspection records must ~~shall~~ reflect those inspections required
340 by the applicable codes of each phase of construction for which
341 permitting by a local enforcement agency is required. The
342 private provider, upon completion of the required inspection,
343 shall post each completed inspection record, indicating pass or
344 fail, and provide the record to the local building official
345 within 4 ~~2~~ business days. Such inspection record may be
346 electronically posted by the private provider, or the private
347 provider may post such inspection record physically at the
348 project site. The private provider may electronically transmit
349 the record to the local building official. The local building
350 official may waive the requirement to provide a record of each
351 inspection within 4 ~~2~~ business days if the record is
352 electronically posted or transmitted or posted at the project
353 site and all such inspection records are submitted with the
354 certificate of compliance. Unless the records have been
355 electronically posted or transmitted, records of all required
356 and completed inspections shall be maintained at the building
357 site at all times and made available for review by the local
358 building official. A local building official may not fail any
359 inspection performed by a private provider for not having the
360 inspection records at the job site if the inspection records
361 have been electronically transmitted to the local building
362 official within the 4-business-day requirement. The private

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363 provider shall report to the local enforcement agency any
364 condition that poses an immediate threat to public safety and
365 welfare.

366 ~~(15)-(13)~~ Upon completion of all required inspections, the
367 private provider firm shall prepare a certificate of compliance,
368 on a form provided by the commission ~~acceptable to the local~~
369 ~~building official~~, summarizing the inspections performed and
370 including a written representation, under oath, that the stated
371 inspections have been performed and that, to the best of the
372 private provider's knowledge and belief, the building
373 construction inspected complies with the approved plans and
374 applicable codes. The certificate of compliance may be signed by
375 any qualified licensed individual employed full time by the
376 private provider firm under whose authority the inspection was
377 completed. The statement required of the private provider shall
378 be substantially in the following form and shall be signed and
379 sealed by a private provider as established in subsection (1) or
380 may be electronically transmitted to the local building
381 official:

382
383 To the best of my knowledge and belief, the building
384 components and site improvements outlined herein and
385 inspected under my authority have been completed in
386 conformance with the approved plans and the applicable
387 codes.

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388
389 (16) (a) ~~(14) (a)~~ The local building official may only
390 perform building inspections of construction that a private
391 provider has determined to be compliant with the applicable
392 codes if the local building official has knowledge that the
393 private provider did not perform the required inspections. If
394 the local building official has such knowledge, the local
395 building official must provide to the private provider written
396 notice of the facts and circumstances upon which the local
397 building official relied for such knowledge before performing a
398 required inspection. The local building official may review
399 forms and documents required under this section for completeness
400 only. No more than 10 business days, or if the permit is related
401 to single-family or two-family dwellings then no more than 2
402 business days, after receipt of a request for a certificate of
403 occupancy or certificate of completion and the applicant's
404 presentation of a certificate of compliance and approval of all
405 other government approvals required by law, including the
406 payment of all outstanding fees, the local building official
407 shall issue the certificate of occupancy or certificate of
408 completion or provide a notice to the applicant of any
409 incomplete forms or documents required under this section
410 ~~identifying the specific deficiencies, as well as the specific~~
411 ~~code chapters and sections.~~

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412 (b) If the local building official does not provide notice
413 of any incomplete forms or documents ~~the deficiencies~~ within the
414 applicable time periods under paragraph (a), the request for a
415 certificate of occupancy or certificate of completion is
416 automatically granted and deemed issued as of the next business
417 day. The local building official must provide the applicant with
418 the written certificate of occupancy or certificate of
419 completion within 10 days after it is automatically granted and
420 issued. To resolve any identified issues ~~deficiencies~~, the
421 applicant may elect to dispute the issues ~~deficiencies~~ pursuant
422 to subsection (17) ~~(15)~~ or to submit a corrected request for a
423 certificate of occupancy or certificate of completion.

424 (17) ~~(15)~~ If the local building official determines that
425 the building construction or plans do not comply with the
426 applicable codes, the official may deny the permit or request
427 for a certificate of occupancy or certificate of completion, as
428 appropriate, or may issue a stop-work order for the project or
429 any portion thereof as provided by law, if the official
430 determines that the noncompliance poses an immediate threat to
431 public safety and welfare, subject to the following:

432 (a) The local building official shall be available to meet
433 with the private provider within 2 business days to resolve any
434 dispute after issuing a stop-work order or providing notice to
435 the applicant denying a permit or request for a certificate of
436 occupancy or certificate of completion.

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437 (b) If the local building official and private provider
438 are unable to resolve the dispute, the matter shall be referred
439 to the local enforcement agency's board of appeals, if one
440 exists, which shall consider the matter at its next scheduled
441 meeting or sooner. Any decisions by the local enforcement
442 agency's board of appeals, or local building official if there
443 is no board of appeals, may be appealed to the commission as
444 provided by this chapter.

445 (c) Notwithstanding any provision of this section, any
446 decisions regarding the issuance of a building permit,
447 certificate of occupancy, or certificate of completion may be
448 reviewed by the local enforcement agency's board of appeals, if
449 one exists. Any decision by the local enforcement agency's board
450 of appeals, or local building official if there is no board of
451 appeals, may be appealed to the commission as provided by this
452 chapter, which shall consider the matter at the commission's
453 next scheduled meeting.

454 ~~(18)-(16)~~ For the purposes of this section, any notice to
455 be provided by the local building official shall be deemed to be
456 provided to the person or entity when successfully transmitted
457 to the e-mail address listed for that person or entity in the
458 permit application or revised permit application, or, if no e-
459 mail address is stated, when actually received by that person or
460 entity.

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

465 ~~(b) A local enforcement agency, local building official,~~
466 ~~or local government may establish, for private providers,~~
467 ~~private provider firms, and duly authorized representatives~~
468 ~~working within that jurisdiction, a system of registration to~~
469 ~~verify compliance with the licensure requirements of paragraph~~
470 ~~(1) (n) and the insurance requirements of subsection (18).~~

471 (b) (e) This section does not limit the authority of the
472 local building official to issue a stop-work order for a
473 building project or any portion of the project, as provided by
474 law, if the official determines that a condition on the building
475 site constitutes an immediate threat to public safety and
476 welfare.

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

480 (20) (18) A private provider may perform building code
481 inspection services on a building project under this section
482 only if the private provider maintains insurance for
483 professional liability covering all services performed as a
484 private provider. Such insurance shall have minimum policy
485 limits of \$1 million per occurrence and \$2 million in the

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486 aggregate for any project with a construction cost of \$5 million
487 or less and \$2 million per occurrence and \$4 million in the
488 aggregate for any project with a construction cost of over \$5
489 million. Nothing in this section limits the ability of a fee
490 owner to require additional insurance or higher policy limits.
491 For these purposes, the term "construction cost" means the total
492 cost of building construction as stated in the building permit
493 application. If the private provider chooses to secure claims-
494 made coverage to fulfill this requirement, the private provider
495 must also maintain coverage for a minimum of 5 years after
496 ~~subsequent to~~ the performance of building code inspection
497 services. The insurance required under this subsection shall be
498 written only by insurers authorized to do business in this state
499 with a minimum A.M. Best's rating of A. Before providing
500 building code inspection services within a local building
501 official's jurisdiction, a private provider must provide to the
502 local building official a certificate of insurance evidencing
503 that the coverages required under this subsection are in force.

504 (21)~~(19)~~ When performing building code inspection
505 services, a private provider is subject to the disciplinary
506 guidelines of the applicable professional board with
507 jurisdiction over his or her license or certification under
508 chapter 468, chapter 471, or chapter 481. All private providers
509 shall be subject to the disciplinary guidelines of s.
510 468.621(1)(c)-(h). Any complaint processing, investigation, and

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511 discipline that arise out of a private provider's performance of
512 building code inspection services shall be conducted by the
513 applicable professional board.

514 ~~(22)~~(20) A local building code enforcement agency may not
515 audit the performance of building code inspection services by
516 private providers operating within the local jurisdiction until
517 the agency has created standard operating private provider audit
518 procedures for the agency's internal inspection and review
519 staff, which includes, at a minimum, the private provider audit
520 purpose and scope, private provider audit criteria, an
521 explanation of private provider audit processes and objections,
522 and detailed findings of areas of noncompliance. Such private
523 provider audit procedures must be publicly available online, and
524 a printed version must be readily accessible in agency
525 buildings. The private provider audit results of staff for the
526 prior two quarters also must be publicly available. The agency's
527 audit processes must adhere to the agency's posted standard
528 operating audit procedures. The same private provider or private
529 provider firm may not be audited more than four times in a year
530 unless the local building official determines a condition of a
531 building constitutes an immediate threat to public safety and
532 welfare, which must be communicated in writing to the private
533 provider or private provider firm. The private provider or
534 private provider firm must be given notice of each audit to be
535 performed at least 5 business days before the audit. Work on a

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536 building or structure may proceed after inspection and approval
537 by a private provider. The work may not be delayed for
538 completion of an inspection audit by the local building code
539 enforcement agency.

540 (23)-(21) The local government, ~~the~~ local building
541 official, and ~~their~~ building code enforcement personnel shall be
542 immune from liability to any person or party for any action or
543 inaction by a fee owner of a building, or by a private provider
544 or its duly authorized representative, in connection with
545 building code inspection services as authorized in this act. The
546 local government, local enforcement agency, local building
547 official, and building code enforcement personnel may not
548 prohibit or discourage the use of a private provider or a
549 private provider firm.

550 (24)-(22) Notwithstanding any other law, a county, a
551 municipality, a school district, or an independent special
552 district may use a private provider or a private provider firm,
553 or may employ a licensed building inspector as described in s.
554 468.603(5)(a) or a person who holds the same licensure or
555 certification as a private provider, to provide building code
556 inspection services for a public works project, an improvement,
557 a building, or any other structure that is owned by the county,
558 municipality, school district, or independent special district.

559 **Section 6. Paragraph (a) of subsection (1) of section**
560 **553.792, Florida Statutes, is amended to read:**

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561 553.792 Building permit application to local government.-

562 (1) (a) A local government must approve, approve with
563 conditions, or deny a building permit application after receipt
564 of a completed and sufficient application within the following
565 timeframes, unless the applicant waives such timeframes in
566 writing:

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

574 2.1. Within 30 business days after receiving a complete
575 and sufficient application, for an applicant using a local
576 government plans reviewer to obtain the following building
577 permits if the structure is less than 7,500 square feet:
578 residential units, including a single-family residential unit or
579 a single-family residential dwelling, accessory structure,
580 alarm, electrical, irrigation, landscaping, mechanical,
581 plumbing, or roofing.

582 3.2. Within 60 business days after receiving a complete
583 and sufficient application, for an applicant using a local
584 government plans reviewer to obtain the following building
585 permits if the structure is 7,500 square feet or more:

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586 residential units, including a single-family residential unit or
587 a single-family residential dwelling, accessory structure,
588 alarm, electrical, irrigation, landscaping, mechanical,
589 plumbing, or roofing.

590 ~~4.3.~~ Within 60 business days after receiving a complete
591 and sufficient application, for an applicant using a local
592 government plans reviewer to obtain the following building
593 permits: signs or nonresidential buildings that are less than
594 25,000 square feet.

595 ~~5.4.~~ Within 60 business days after receiving a complete
596 and sufficient application, for an applicant using a local
597 government plans reviewer to obtain the following building
598 permits: multifamily residential, not exceeding 50 units; site-
599 plan approvals and subdivision plats not requiring public
600 hearing or public notice; and lot grading and site alteration.

601 ~~6.5.~~ Within 12 business days after receiving a complete
602 and sufficient application, for an applicant using a master
603 building permit consistent with s. 553.794 to obtain a site-
604 specific building permit.

605 ~~7.6.~~ Within 10 business days after receiving a complete
606 and sufficient application, for an applicant for a single-family
607 residential dwelling applied for by a contractor licensed in
608 this state on behalf of a property owner who participates in a
609 Community Development Block Grant-Disaster Recovery program
610 ~~administered by the Department of Commerce~~, unless the permit

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611 application fails to satisfy the Florida Building Code or the
612 enforcing agency's laws or ordinances.

613

614 However, the local government may not require the waiver of the
615 timeframes in this section as a condition precedent to reviewing
616 an applicant's building permit application.

617 **Section 7. Paragraphs (b) through (m) of subsection (1) of**
618 **section 553.77, Florida Statutes, are redesignated as paragraphs**
619 **(c) through (n), respectively, present paragraph (c) of that**
620 **subsection is amended, and a new paragraph (b) is added to that**
621 **subsection, to read:**

622 553.77 Specific powers of the commission.—

623 (1) The commission shall:

624 (b) By July 1, 2027, adopt by rule a uniform commercial
625 building permit application to be used statewide for commercial
626 construction projects and a uniform residential building permit
627 application to be used statewide for residential construction
628 projects. To the extent feasible, the uniform commercial
629 building permit application and the uniform residential building
630 permit application adopted by the commission must be capable of
631 integration with existing building permit software systems used
632 by local governments and must account for local amendments to
633 the Florida Building Code.

634 (d)-(e) Upon written application by any substantially
635 affected person or a local enforcement agency, issue declaratory

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636 statements pursuant to s. 120.565 relating to new technologies,
 637 techniques, and materials which have been tested where necessary
 638 and found to meet the objectives of the Florida Building Code.
 639 This paragraph does not apply to the types of products,
 640 materials, devices, or methods of construction required to be
 641 approved under paragraph (g) ~~(f)~~.

642
 643 -----

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

644 Remove lines 34-121 and insert:
 645 requiring such authorization to be submitted to the
 646 local building official; removing the requirement that
 647 a contract for certain services be in writing;
 648 providing that a contract for certain services does
 649 not need to be submitted as part of a permit
 650 application; providing requirements for reduced permit
 651 fees; prohibiting a local jurisdiction from charging
 652 punitive administrative fees or fees for plans review
 653 services; requiring that certain documents be promptly
 654 provided to certain persons; requiring local
 655 enforcement agencies to reduce permit fees by
 656 specified percentages under certain circumstances;
 657 providing that a local enforcement agency forfeits the
 658 ability to collect fees under certain circumstances;
 659 requiring a surcharge to be calculated based on the
 660

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661 reduced permit fee; prohibiting local governments and
662 local building officials from requiring additional
663 forms; requiring local enforcement agencies to create
664 a specified registration system that must have a
665 method to register and update registration information
666 electronically; prohibiting local enforcement agencies
667 from charging an administrative fee to register or
668 update registration information; requiring private
669 provider firms to register with the local enforcement
670 agency, provide certain information, and update its
671 registration within a specified timeframe after
672 changes occur; prohibiting local enforcement agencies
673 from altering a form adopted by the commission;
674 removing the requirement that a private provider's
675 qualification statements or resumes be included in a
676 certain notice; removing time restrictions for
677 electing to use a private provider; requiring local
678 enforcement agencies to accept a certain affidavit
679 electronically; providing which forms and documents a
680 local building official may review; providing notice
681 requirements; providing that certain permits are
682 deemed approved; providing that local enforcement
683 agencies are not responsible for the administration or
684 supervision of services performed by a private
685 provider; prohibiting local enforcement agencies from

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686 requiring additional verification of certain
687 requirements beyond that which is required at
688 registration; revising the timeframe in which certain
689 records must be provided; authorizing certain records
690 to be electronically transmitted; prohibiting local
691 building officials from failing certain inspections;
692 authorizing certain persons to sign certificates of
693 compliance; providing requirements for local building
694 officials who have knowledge that a private provider
695 failed to perform an inspection; providing that
696 virtual inspections may not be prohibited; requiring
697 certain notice before an audit; prohibiting certain
698 entities from discouraging the use of private
699 providers; authorizing certain public entities to use
700 a private provider firm or to employ a licensed
701 building inspector to provide building code inspection
702 services; amending s. 553.792, F.S.; requiring a local
703 government to make certain decisions relating to
704 certain building permits within a specified timeframe;
705 amending s. 553.77, F.S.; requiring the Florida
706 Building Commission to develop uniform commercial and
707 residential building permit applications by a
708 specified date; providing requirements for a uniform
709 commercial building permit application; amending s.

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