

26 | deemed complete and sufficient; requiring the
 27 | opportunity for an in-person or virtual meeting before
 28 | a second request for additional information may be
 29 | made; reducing permit fees by a certain percentage if
 30 | certain timeframes are not met; authorizing both
 31 | parties to extend certain timeframes under certain
 32 | circumstances; requiring that local governments follow
 33 | the prescribed timeframes unless a local ordinance is
 34 | more stringent; conforming provisions to changes made
 35 | by the act; amending s. 440.103, F.S.; conforming a
 36 | cross-reference; amending s. 553.80, F.S.; allowing
 37 | local governments to use certain fees for certain
 38 | technology upgrades; providing an effective date.

39 |
 40 | Be It Enacted by the Legislature of the State of Florida:

41 |
 42 | Section 1. Section 177.073, Florida Statutes, is created
 43 | to read:

44 | 177.073 Expedited approval of residential building permits
 45 | before a final plat is recorded.-

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

47 | (a) "Applicant" means a homebuilder or developer that
 48 | files an application with the local governing body to identify
 49 | the percentage of planned homes, or the number of building
 50 | permits, that the local governing body must issue for the

51 residential subdivision or planned community.

52 (b) "Final plat" means the final tracing, map, or site
53 plan presented by the subdivider to a governing body for final
54 approval, and, upon approval by the appropriate governing body,
55 is submitted to the clerk of the circuit court for recording.

56 (c) "Local building official" has the same meaning as in
57 s. 553.791(1).

58 (d) "Plans" means any building plans, construction plans,
59 engineering plans, or site plans, or their functional
60 equivalent, submitted by an applicant for a building permit.

61 (e) "Preliminary plat" means a map or delineated
62 representation of the subdivision of lands that is a complete
63 and exact representation of the residential subdivision or
64 planned community and contains any additional information needed
65 to be in compliance with the requirements of this chapter.

66 (2)(a) By August 15, 2024, the governing body of a county
67 that has 75,000 residents or more and the governing body of a
68 municipality that has 30,000 residents or more shall create a
69 program to expedite the process for issuing building permits for
70 residential subdivisions or planned communities in accordance
71 with the Florida Building Code and this section before a final
72 plat is recorded with the clerk of the circuit court. The
73 expedited process must include an application for an applicant
74 to identify the percentage of planned homes, or the number of
75 building permits, that the governing body must issue for the

76 residential subdivision or planned community, not to exceed 50
 77 percent of the residential subdivision or planned community.
 78 This subsection does not restrict a local government from
 79 issuing building permits that exceed 50 percent of the
 80 residential subdivision or planned community.

81 (b) A governing body that had a program in place before
 82 July 1, 2023, to expedite the building permit process, need only
 83 update their program to approve an applicant's written
 84 application to issue up to 50 percent of the building permits
 85 for the residential subdivision or planned community in order to
 86 comply with this section. This subsection does not restrict a
 87 local government from issuing building permits that exceed 50
 88 percent of the residential subdivision or planned community.

89 (c) By December 31, 2027, the governing body of a county
 90 that has 75,000 residents or more and the governing body of a
 91 municipality that has 30,000 residents or more shall update its
 92 program to expedite the process for issuing building permits for
 93 residential subdivisions or planned communities in accordance
 94 with the Florida Building Code and this section before a final
 95 plat is recorded with the clerk of the circuit court. The
 96 expedited process must contain an application for an applicant
 97 to identify the percentage, up to 75 percent, of planned homes
 98 that the local governing body must issue for the residential
 99 subdivision or planned community. This subsection does not
 100 restrict a local government from issuing building permits that

101 exceed 75 percent of the residential subdivision or planned
102 community.

103 (3) A governing body shall create:

104 (a) A two-step application process for the adoption of a
105 preliminary plat and a for final plat in order to expedite the
106 issuance of building permits under this section. The application
107 must allow an applicant to identify the percentage of planned
108 homes, or the number of building permits, that the governing
109 body must issue for the residential subdivision or planned
110 community.

111 (b) A master building permit process consistent with s.
112 553.794(3) for applicants seeking multiple building permits for
113 residential subdivisions or planned communities. For purposes of
114 this paragraph, a master building permit is valid for 3
115 consecutive years after its issuance or until the adoption of a
116 new Florida Building Code, whichever is earlier. After a new
117 Florida Building Code is adopted, the applicant may apply for a
118 new master building permit, which, upon approval, is valid for 3
119 consecutive years.

120 (4) An applicant may use a private provider consistent
121 with s. 553.791 to review a preliminary plat and to obtain a
122 building permit for each residential building or structure.

123 (5) A governing body may work with appropriate local
124 government agencies to issue an address and a temporary parcel
125 identification number for lot lines and lot sizes based on the

126 metes and bounds of the plat contained in the application.

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

132 (a) The governing body has approved a preliminary plat for
133 each residential building or structure.

134 (b) The applicant provides proof to the governing body
135 that the applicant has provided a copy of the approved
136 preliminary plat, along with the approved plans, to the relevant
137 electric, water, and wastewater utilities.

138 (c) The applicant holds a valid performance bond for up to
139 130 percent of the necessary utilities, roads, and stormwater
140 improvements that have not been completed upon submission of the
141 application under this section. For purposes of master planned
142 communities, as defined in s. 163.3202(5)(b), a valid
143 performance bond is required on a phase-by-phase basis.

144 (7)(a) An applicant may contract to sell, but may not
145 transfer ownership of, a residential structure or building
146 located in the residential subdivision or planned community
147 until the final plat is approved by the governing body and
148 recorded in the public records by the clerk of the circuit
149 court.

150 (b) An applicant may not obtain a final certificate of

151 occupancy for each residential structure or building for which a
 152 building permit is issued until the final plat is approved by
 153 the governing body and recorded in the public records by the
 154 clerk of the circuit court.

155 (c) An applicant must indemnify and hold harmless the
 156 governing body and its agents and employees from damages
 157 accruing and directly related to the issuance of a building
 158 permit for a residential building or structure located in the
 159 residential subdivision or planned community before the approval
 160 and recording of the final plat by the governing body. This
 161 includes damage resulting from fire, flood, construction
 162 defects, and bodily injury.

163 Section 2. Subsection (16) of section 553.79, Florida
 164 Statutes, is amended to read:

165 553.79 Permits; applications; issuance; inspections.—

166 ~~(16) Except as provided in paragraph (c), a building~~
 167 ~~permit for a single-family residential dwelling must be issued~~
 168 ~~within 30 business days after receiving the permit application~~
 169 ~~unless the permit application fails to satisfy the Florida~~
 170 ~~Building Code or the enforcing agency's laws or ordinances.~~

171 ~~(a) If a local enforcement agency fails to issue a~~
 172 ~~building permit for a single-family residential dwelling within~~
 173 ~~30 business days after receiving the permit application, it must~~
 174 ~~reduce the building permit fee by 10 percent for each business~~
 175 ~~day that it fails to meet the deadline. Each 10-percent~~

176 ~~reduction shall be based on the original amount of the building~~
177 ~~permit fee.~~

178 ~~(b) A local enforcement agency does not have to reduce the~~
179 ~~building permit fee if it provides written notice to the~~
180 ~~applicant, by e-mail or United States Postal Service, within 30~~
181 ~~business days after receiving the permit application, that~~
182 ~~specifically states the reasons the permit application fails to~~
183 ~~satisfy the Florida Building Code or the enforcing agency's laws~~
184 ~~or ordinances. The written notice must also state that the~~
185 ~~applicant has 10 business days after receiving the written~~
186 ~~notice to submit revisions to correct the permit application and~~
187 ~~that failure to correct the application within 10 business days~~
188 ~~will result in a denial of the application.~~

189 ~~(c) The applicant has 10 business days after receiving the~~
190 ~~written notice to address the reasons specified by the local~~
191 ~~enforcement agency and submit revisions to correct the permit~~
192 ~~application. If the applicant submits revisions within 10~~
193 ~~business days after receiving the written notice, the local~~
194 ~~enforcement agency has 10 business days after receiving such~~
195 ~~revisions to approve or deny the building permit unless the~~
196 ~~applicant agrees to a longer period in writing. If the local~~
197 ~~enforcement agency fails to issue or deny the building permit~~
198 ~~within 10 business days after receiving the revisions, it must~~
199 ~~reduce the building permit fee by 20 percent for the first~~
200 ~~business day that it fails to meet the deadline unless the~~

201 ~~applicant agrees to a longer period in writing. For each~~
 202 ~~additional business day, but not to exceed 5 business days, that~~
 203 ~~the local enforcement agency fails to meet the deadline, the~~
 204 ~~building permit fee must be reduced by an additional 10 percent.~~
 205 ~~Each reduction shall be based on the original amount of the~~
 206 ~~building permit fee.~~

207 ~~(d) If any building permit fees are refunded under this~~
 208 ~~subsection, the surcharges provided in s. 468.631 or s. 553.721~~
 209 ~~must be recalculated based on the amount of the building permit~~
 210 ~~fees after the refund.~~

211 ~~(e) A building permit for a single-family residential~~
 212 ~~dwelling applied for by a contractor licensed in this state on~~
 213 ~~behalf of a property owner who participates in a Community~~
 214 ~~Development Block Grant-Disaster Recovery program administered~~
 215 ~~by the Department of Economic Opportunity must be issued within~~
 216 ~~15 working days after receipt of the application unless the~~
 217 ~~permit application fails to satisfy the Florida Building Code or~~
 218 ~~the enforcing agency's laws or ordinances.~~

219 Section 3. Subsections (1) and (2) of section 553.792,
 220 Florida Statutes, are amended and subsection (4) is added to
 221 that section, to read:

222 553.792 Building permit application to local government.—

223 (1)(a) The local government must approve, approve with
 224 conditions, or deny a building permit application following
 225 receipt of a completed and sufficient application within the

226 following timelines, unless the applicant waives such limitation
227 in writing:

228 1. For an applicant using local government plans review to
229 obtain a building permit, within 30 days after receiving a
230 complete and sufficient application.

231 2. For an applicant using a private provider consistent
232 with s. 553.791 to obtain a building permit, within 15 days
233 after receiving a complete and sufficient application.

234 3. For an applicant for a master plan permit pursuant to
235 paragraph (e), within 10 days after receiving a complete and
236 sufficient application.

237 4. For an applicant for a single-family residential
238 dwelling applied for by a contractor licensed in this state on
239 behalf of a property owner who participates in a Community
240 Development Block Grant-Disaster Recovery program administered
241 by the Department of Economic Opportunity, within 10 days after
242 receipt of the application unless the permit application fails
243 to satisfy the Florida Building Code or the enforcing agency's
244 laws or ordinances.

245
246 If the local government does not approve, approve with
247 conditions, or deny the completed and sufficient application
248 within the required timeframes, the application is deemed
249 approved. A local government must meet the timeframes set forth
250 in this section for reviewing building permit applications,

251 unless the timeframes set by local ordinance are more stringent
 252 than those prescribed in this section.

253 (b) After ~~Within 10 days of~~ an applicant submits
 254 ~~submitting~~ an application to the local government, the local
 255 government must provide written notice to the applicant within 5
 256 days after receipt of the application advising ~~shall advise~~ the
 257 applicant what information, if any, is needed to deem the
 258 application properly completed in compliance with the filing
 259 requirements published by the local government. If the local
 260 government does not provide written notice that the applicant
 261 has not submitted the properly completed application, the
 262 application shall be automatically deemed properly completed and
 263 accepted.

264 (c)1. Within 10 ~~45~~ days after receiving a completed
 265 application, a local government must provide written notice to
 266 ~~notify~~ an applicant if additional information is required for
 267 the local government to determine the sufficiency of the
 268 application, and the notice must ~~shall~~ specify the additional
 269 information that is required. The applicant may ~~must~~ submit the
 270 additional information to the local government or request that
 271 the local government act without the additional information.
 272 ~~While the applicant responds to the request for additional~~
 273 ~~information, the 120-day period described in this subsection is~~
 274 ~~tolled. Both parties may agree to a reasonable request for an~~
 275 ~~extension of time, particularly in the event of a force majeure~~

276 ~~or other extraordinary circumstance.~~ When reviewing an
277 application for a building permit, a local government may not
278 request additional information from the applicant more than two
279 times, unless the applicant waives such limitation in writing.
280 If the local government requests additional information for a
281 second time, such request must be within 10 days of receiving
282 requested additional information from the first request, and the
283 local government must determine the sufficiency of the
284 application within 10 days of receiving the requested additional
285 information. ~~The local government must approve, approve with~~
286 ~~conditions, or deny the application within 120 days following~~
287 ~~receipt of a completed application.~~

288 2. Before a second request for additional information may
289 be made, the local government must offer the applicant an
290 opportunity to meet in person or virtually with the local
291 government to attempt to resolve outstanding issues.

292 3. If the applicant believes the request for additional
293 information is not authorized by ordinance, rule, statute, or
294 other legal authority, the local government, at the applicant's
295 written request, must process the application within 10 days
296 after receipt of the request and either approve the application,
297 approve the application with conditions, or deny the application
298 and provide the applicant with sufficient reason for such
299 denial.

300 (d) A local government shall maintain on its website a

301 policy containing procedures and expectations for expedited
 302 processing of those building permits and development orders
 303 required by law to be expedited.

304 ~~(b)1. When reviewing an application for a building permit,~~
 305 ~~a local government may not request additional information from~~
 306 ~~the applicant more than three times, unless the applicant waives~~
 307 ~~such limitation in writing.~~

308 ~~2. If a local government requests additional information~~
 309 ~~from an applicant and the applicant submits the requested~~
 310 ~~additional information to the local government within 30 days~~
 311 ~~after receiving the request, the local government must, within~~
 312 ~~15 days after receiving such information:~~

313 ~~a. Determine if the application is properly completed;~~

314 ~~b. Approve the application;~~

315 ~~c. Approve the application with conditions;~~

316 ~~d. Deny the application; or~~

317 ~~e. Advise the applicant of information, if any, that is~~
 318 ~~needed to deem the application properly completed or to~~
 319 ~~determine the sufficiency of the application.~~

320 ~~3. If a local government makes a second request for~~
 321 ~~additional information from the applicant and the applicant~~
 322 ~~submits the requested additional information to the local~~
 323 ~~government within 30 days after receiving the request, the local~~
 324 ~~government must, within 10 days after receiving such~~
 325 ~~information:~~

326 ~~a. Determine if the application is properly completed;~~
 327 ~~b. Approve the application;~~
 328 ~~c. Approve the application with conditions;~~
 329 ~~d. Deny the application; or~~
 330 ~~e. Advise the applicant of information, if any, that is~~
 331 ~~needed to deem the application properly completed or to~~
 332 ~~determine the sufficiency of the application.~~

333 ~~4. Before a third request for additional information may~~
 334 ~~be made, the applicant must be offered an opportunity to meet~~
 335 ~~with the local government to attempt to resolve outstanding~~
 336 ~~issues. If a local government makes a second third request for~~
 337 ~~additional information from the applicant and the applicant~~
 338 ~~submits the requested additional information to the local~~
 339 ~~government within 30 days after receiving the request, the local~~
 340 ~~government must, within 10 days after receiving such information~~
 341 ~~unless the applicant waived the local government's limitation in~~
 342 ~~writing, determine that the application is complete and:~~

343 ~~a. Approve the application;~~
 344 ~~b. Approve the application with conditions; or~~
 345 ~~c. Deny the application.~~

346 ~~5. If the applicant believes the request for additional~~
 347 ~~information is not authorized by ordinance, rule, statute, or~~
 348 ~~other legal authority, the local government, at the applicant's~~
 349 ~~request, must process the application and either approve the~~
 350 ~~application, approve the application with conditions, or deny~~

351 ~~the application.~~

352 ~~(e)-(e)~~ If a local government fails to meet a deadline
353 ~~under this subsection provided in paragraphs (a) and (b),~~ it
354 must reduce the building permit fee by 10 percent for each
355 business day that it fails to meet the deadline, unless the
356 parties agree in writing to a reasonable extension of time. Each
357 10-percent reduction shall be based on the original amount of
358 the building permit fee, unless the parties agree to an
359 extension of time.

360 (2)~~(a)~~ The procedures set forth in subsection (1) apply to
361 the following building permit applications: accessory structure;
362 alarm permit; nonresidential buildings less than 25,000 square
363 feet; electric; irrigation permit; landscaping; mechanical;
364 plumbing; residential units including a single-family
365 residential ~~other than a single family unit or a single-family~~
366 residential dwelling; multifamily residential not exceeding 50
367 units; roofing; signs; site-plan approvals and subdivision plats
368 not requiring public hearings or public notice; and lot grading
369 and site alteration associated with the permit application set
370 forth in this subsection. The procedures set forth in subsection
371 (1) do not apply to permits for any wireless communications
372 facilities ~~or when a law, agency rule, or local ordinance~~
373 ~~specify different timeframes for review of local building permit~~
374 ~~applications.~~

375 ~~(b) If a local government has different timeframes than~~

376 ~~the timeframes set forth in subsection (1) for reviewing~~
 377 ~~building permit applications described in paragraph (a), the~~
 378 ~~local government must meet the deadlines established by local~~
 379 ~~ordinance. If a local government does not meet an established~~
 380 ~~deadline to approve, approve with conditions, or deny an~~
 381 ~~application, it must reduce the building permit fee by 10~~
 382 ~~percent for each business day that it fails to meet the~~
 383 ~~deadline. Each 10-percent reduction shall be based on the~~
 384 ~~original amount of the building permit fee, unless the parties~~
 385 ~~agree to an extension of time. This paragraph does not apply to~~
 386 ~~permits for any wireless communications facilities.~~

387 Section 4. Section 440.103, Florida Statutes, is amended
 388 to read:

389 440.103 Building permits; identification of minimum
 390 premium policy.—Every employer shall, as a condition to applying
 391 for and receiving a building permit, show proof and certify to
 392 the permit issuer that it has secured compensation for its
 393 employees under this chapter as provided in ss. 440.10 and
 394 440.38. Such proof of compensation must be evidenced by a
 395 certificate of coverage issued by the carrier, a valid exemption
 396 certificate approved by the department, or a copy of the
 397 employer's authority to self-insure and shall be presented,
 398 electronically or physically, each time the employer applies for
 399 a building permit. As provided in s. 553.79(23) ~~s. 553.79(24)~~,
 400 for the purpose of inspection and record retention, site plans

401 or building permits may be maintained at the worksite in the
402 original form or in the form of an electronic copy. These plans
403 and permits must be open to inspection by the building official
404 or a duly authorized representative, as required by the Florida
405 Building Code. As provided in s. 627.413(5), each certificate of
406 coverage must show, on its face, whether or not coverage is
407 secured under the minimum premium provisions of rules adopted by
408 rating organizations licensed pursuant to s. 627.221. The words
409 "minimum premium policy" or equivalent language shall be typed,
410 printed, stamped, or legibly handwritten.

411 Section 5. Paragraph (a) of subsection (7) of section
412 553.80, Florida Statutes, is amended to read:

413 553.80 Enforcement.—

414 (7) (a) The governing bodies of local governments may
415 provide a schedule of reasonable fees, as authorized by s.
416 125.56(2) or s. 166.222 and this section, for enforcing this
417 part. These fees, and any fines or investment earnings related
418 to the fees, shall be used solely for carrying out the local
419 government's responsibilities in enforcing the Florida Building
420 Code, including for upgrading technology hardware and software
421 systems used in enforcement. When providing a schedule of
422 reasonable fees, the total estimated annual revenue derived from
423 fees, and the fines and investment earnings related to the fees,
424 may not exceed the total estimated annual costs of allowable
425 activities. Any unexpended balances must be carried forward to

426 future years for allowable activities or must be refunded at the
427 discretion of the local government. A local government may not
428 carry forward an amount exceeding the average of its operating
429 budget for enforcing the Florida Building Code for the previous
430 4 fiscal years. For purposes of this subsection, the term
431 "operating budget" does not include reserve amounts. Any amount
432 exceeding this limit must be used as authorized in subparagraph
433 2. However, a local government that established, as of January
434 1, 2019, a Building Inspections Fund Advisory Board consisting
435 of five members from the construction stakeholder community and
436 carries an unexpended balance in excess of the average of its
437 operating budget for the previous 4 fiscal years may continue to
438 carry such excess funds forward upon the recommendation of the
439 advisory board. The basis for a fee structure for allowable
440 activities must relate to the level of service provided by the
441 local government and must include consideration for refunding
442 fees due to reduced services based on services provided as
443 prescribed by s. 553.791, but not provided by the local
444 government. Fees charged must be consistently applied.

445 1. As used in this subsection, the phrase "enforcing the
446 Florida Building Code" includes the direct costs and reasonable
447 indirect costs associated with review of building plans,
448 building inspections, reinspections, and building permit
449 processing; building code enforcement; and fire inspections
450 associated with new construction. The phrase may also include

451 training costs associated with the enforcement of the Florida
452 Building Code and enforcement action pertaining to unlicensed
453 contractor activity to the extent not funded by other user fees.

454 2. A local government must use any excess funds that it is
455 prohibited from carrying forward to rebate and reduce fees, or
456 to pay for the construction of a building or structure that
457 houses a local government's building code enforcement agency or
458 the training programs for building officials, inspectors, or
459 plans examiners associated with the enforcement of the Florida
460 Building Code. Excess funds used to construct such a building or
461 structure must be designated for such purpose by the local
462 government and may not be carried forward for more than 4
463 consecutive years. An owner or builder who has a valid building
464 permit issued by a local government for a fee, or an association
465 of owners or builders located in the state that has members with
466 valid building permits issued by a local government for a fee,
467 may bring a civil action against the local government that
468 issued the permit for a fee to enforce this subparagraph.

469 3. The following activities may not be funded with fees
470 adopted for enforcing the Florida Building Code:

471 a. Planning and zoning or other general government
472 activities.

473 b. Inspections of public buildings for a reduced fee or no
474 fee.

475 c. Public information requests, community functions,

476 boards, and any program not directly related to enforcement of
 477 the Florida Building Code.

478 d. Enforcement and implementation of any other local
 479 ordinance, excluding validly adopted local amendments to the
 480 Florida Building Code and excluding any local ordinance directly
 481 related to enforcing the Florida Building Code as defined in
 482 subparagraph 1.

483 4. A local government must use recognized management,
 484 accounting, and oversight practices to ensure that fees, fines,
 485 and investment earnings generated under this subsection are
 486 maintained and allocated or used solely for the purposes
 487 described in subparagraph 1.

488 5. The local enforcement agency, independent district, or
 489 special district may not require at any time, including at the
 490 time of application for a permit, the payment of any additional
 491 fees, charges, or expenses associated with:

492 a. Providing proof of licensure under chapter 489;

493 b. Recording or filing a license issued under this
 494 chapter;

495 c. Providing, recording, or filing evidence of workers'
 496 compensation insurance coverage as required by chapter 440; or

497 d. Charging surcharges or other similar fees not directly
 498 related to enforcing the Florida Building Code.

499 Section 6. This act shall take effect July 1, 2024.