

1 A bill to be entitled  
2 An act relating to permit fees; amending ss. 125.56  
3 and 166.222, F.S.; requiring the governing bodies of  
4 counties and municipalities to post their permit and  
5 inspection fee schedules and building permit and  
6 inspection utilization reports on their websites;  
7 amending s. 553.80, F.S.; requiring the governing  
8 bodies of local governments to post their building  
9 permit and inspection utilization reports on their  
10 websites by a specified date; providing requirements  
11 for such governing bodies; providing reporting  
12 requirements; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Paragraph (c) is added to subsection (4) of  
17 section 125.56, Florida Statutes, to read:

18 125.56 Enforcement and amendment of the Florida Building  
19 Code and the Florida Fire Prevention Code; inspection fees;  
20 inspectors; etc.—

21 (4)

22 (c) The governing body of a county authorized under this  
23 section or s. 553.80 to issue fees shall post its permit and  
24 inspection fee schedules and its building permit and inspection  
25 utilization report required under s. 553.80(7) on its website.

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26 Section 2. Section 166.222, Florida Statutes, is amended  
27 to read:

28 166.222 Building code inspection fees.—

29 (1) The governing body of a municipality may provide a  
30 schedule of reasonable inspection fees in order to defer the  
31 costs of inspection and enforcement of the provisions of its  
32 building code.

33 (2) The governing body of a municipality authorized under  
34 s. 553.80 to issue fees shall post its permit and inspection fee  
35 schedules and its building permit and inspection utilization  
36 report required under s. 553.80(7) on its website.

37 Section 3. Subsection (7) of section 553.80, Florida  
38 Statutes, is amended to read:

39 553.80 Enforcement.—

40 (7)(a) The governing bodies of local governments may  
41 provide a schedule of reasonable fees, as authorized by s.  
42 125.56(2) or s. 166.222 and this section, for enforcing this  
43 part. These fees, and any fines or investment earnings related  
44 to the fees, shall be used solely for carrying out the local  
45 government's responsibilities in enforcing the Florida Building  
46 Code. When providing a schedule of reasonable fees, the total  
47 estimated annual revenue derived from fees, and the fines and  
48 investment earnings related to the fees, may not exceed the  
49 total estimated annual costs of allowable activities. Any  
50 unexpended balances shall be carried forward to future years for

allowable activities or shall be refunded at the discretion of the local government. The basis for a fee structure for allowable activities shall relate to the level of service provided by the local government and shall include consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not provided by the local government. Fees charged shall be consistently applied.

1.~~(a)~~ As used in this subsection, the phrase "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.

2.~~(b)~~ The following activities may not be funded with fees adopted for enforcing the Florida Building Code:

a.1. Planning and zoning or other general government activities.

b.2. Inspections of public buildings for a reduced fee or no fee.

c.3. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.

76        ~~d.4.~~ Enforcement and implementation of any other local  
77 ordinance, excluding validly adopted local amendments to the  
78 Florida Building Code and excluding any local ordinance directly  
79 related to enforcing the Florida Building Code as defined in  
80 subparagraph 1 ~~paragraph (a)~~.

81        ~~3.(e)~~ A local government shall use recognized management,  
82 accounting, and oversight practices to ensure that fees, fines,  
83 and investment earnings generated under this subsection are  
84 maintained and allocated or used solely for the purposes  
85 described in subparagraph 1 ~~paragraph (a)~~.

86        ~~4.(d)~~ The local enforcement agency, independent district,  
87 or special district may not require at any time, including at  
88 the time of application for a permit, the payment of any  
89 additional fees, charges, or expenses associated with:

90        ~~a.1.~~ Providing proof of licensure pursuant to chapter 489;

91        ~~b.2.~~ Recording or filing a license issued pursuant to this  
92 chapter; or

93        ~~c.3.~~ Providing, recording, or filing evidence of workers'  
94 compensation insurance coverage as required by chapter 440.

95        (b) By December 31, 2020, the governing body of a local  
96 government that provides a schedule of fees shall post its  
97 building permit and inspection utilization report on its  
98 website. The report shall be based on the information available  
99 in the most recently completed financial audit. After December  
100 31, 2020, the governing body of a local government that provides

101 a schedule of fees shall update its building permit and  
102 inspection utilization report on its website before making any  
103 adjustments to the fee schedule. The report shall include:

104 1. Direct and indirect costs incurred by the local  
105 government to enforce the Florida Building Code, including costs  
106 related to:

107 a. Building plan reviews.

108 b. Building inspections.

109 c. Building reinspections.

110 d. Building permit processing.

111 e. Building code enforcement.

112 2. Number of building permits requested.

113 3. Number of building permits issued.

114 4. Number of building inspections and reinspections  
115 conducted.

116 5. Number of personnel employed by the local government to  
117 enforce the Florida Building Code, issue building permits, and  
118 conduct inspections.

119 6. Salary and related employee benefit costs incurred by  
120 the local government to enforce the Florida Building Code, issue  
121 building permits, and conduct inspections.

122 7. Revenue derived from fees pursuant to paragraph (a).

123 8. Revenue derived from fines pursuant to paragraph (a).

124 9. When applicable, investment earnings derived from the  
125 local government's investment of revenue derived from fees and

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126   fines pursuant to paragraph (a).

127       10. Balances carried forward by the local government  
128   pursuant to paragraph (a).

129       11. Balances refunded by the local government pursuant to  
130   paragraph (a).

131       Section 4. This act shall take effect July 1, 2019.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 127 (2019)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: State Affairs Committee  
2 Representative Williamson offered the following:

3  
4 **Amendment**

5 Remove lines 95-130 and insert:

6 (b) By December 31, 2020, the governing body of a local  
7 government that provides a schedule of fees shall create a  
8 building permit and inspection utilization report and post the  
9 report on its website. The information in the report shall be  
10 derived from relevant information available in the most recently  
11 completed financial audit. After December 31, 2020, the  
12 governing body of a local government that provides a schedule of  
13 fees shall update its building permit and inspection utilization  
14 report before making any adjustments to the fee schedule. The  
15 report shall include:

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16       1. Direct and indirect costs incurred by the local  
17 government to enforce the Florida Building Code, including costs  
18 related to:

19       a. Personnel services costs, including salary and related  
20 employee benefit costs incurred by the local government to  
21 enforce the Florida Building Code.

22       b. Operating expenditures and expenses.

23       2. Permit and inspection utilization information,  
24 including:

25       a. Number of building permit applications submitted.

26       b. Number of building permits issued or approved.

27       c. Number of building inspections and reinspections  
28 requested.

29       d. Number of building inspections and reinspections  
30 conducted.

31       e. Number of building inspections conducted by a private  
32 provider.

33       f. Number of building audits conducted by the local  
34 government of the building inspection conducted by a private  
35 provider.

36       g. Number of positions dedicated by the local government  
37 to enforce the Florida Building Code, issue building permits,  
38 and conduct inspections.

39       h. Other permissible activities for enforcing the Florida  
40 Building Code as described in 553.80(7)1.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

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41       3. Revenue information, including:

42       a. Revenue derived from fees pursuant to paragraph (a).

43       b. Revenue derived from fines pursuant to paragraph (a).

44       c. When applicable, investment earnings from the local  
45 government's investment of revenue derived from fees and fines  
46 pursuant to paragraph (a).

47       d. Balances carried forward by the local government  
48 pursuant to paragraph (a).

49       e. Balances refunded by the local government pursuant to  
50 paragraph (a).

51       f. Other revenue sources, including local government  
52 general revenue.

