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1  
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; providing  
5       construction; amending s. 287.056, F.S.; requiring the  
6       Department of Management Services to enter into and  
7       maintain state term contracts for building code  
8       inspection services; creating s. 468.634, F.S.;  
9       authorizing individuals to work in specified  
10      positions, for a specified timeframe, if they meet  
11      certain requirements; amending s. 489.129, F.S.;  
12      providing that certain persons are not subject to  
13      discipline for performing a job without applicable  
14      permits and inspections if otherwise authorized by  
15      law; amending s. 553.382, F.S.; prohibiting the  
16      Department of Business and Professional Regulation  
17      from denying a building permit for certain residential  
18      manufactured buildings; requiring that certain housing  
19      units be taxed in a certain manner; creating s.  
20      553.385, F.S.; defining the terms "local government"  
21      and "offsite-constructed residential dwelling";  
22      requiring that an offsite-constructed residential  
23      dwelling be permitted as of right in any zoning  
24      district where certain dwellings are allowed;  
25      prohibiting a local government from adopting or

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26        enforcing a certain zoning, land use, or development  
27        regulation that treats an offsite-constructed  
28        residential dwelling differently or more restrictively  
29        than certain dwellings in the same district; providing  
30        construction; authorizing a local government to adopt  
31        compatibility standards for specified architectural  
32        features; prohibiting a local government from treating  
33        offsite-constructed residential dwellings differently  
34        than factory-built buildings based on the method or  
35        location of construction; prohibiting a local  
36        government from adopting or enforcing certain zoning,  
37        land use, or development ordinances or regulations;  
38        prohibiting local government ordinances or regulations  
39        from having the effect of excluding offsite-  
40        constructed residential dwellings; requiring that such  
41        ordinances or regulations be reasonable and uniformly  
42        enforced without distinction as to type of housing;  
43        providing that any such ordinance or regulation is  
44        void and unenforceable as applied to offsite-  
45        constructed residential dwellings; amending s. 553.77,  
46        F.S.; requiring the Florida Building Commission to  
47        develop uniform commercial and residential building  
48        permit applications by a specified date; providing  
49        requirements for a uniform commercial building permit  
50        application; amending s. 553.79, F.S.; providing for

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51        expiration of certain building permits issued by a  
52        local government; providing construction; providing  
53        prohibitions for inspection fees; requiring a local  
54        government to exempt certain owners and contractors  
55        from building permit requirements for work valued  
56        below a specified amount; providing exceptions;  
57        prohibiting a construction project from being divided  
58        into multiple projects for a certain purpose;  
59        requiring certain owners and contractors to submit a  
60        written request for exemption to the local enforcement  
61        agency with specified documentation; providing that  
62        local governments do not have a duty to certain  
63        persons; requiring local governments to exempt certain  
64        owners and contractors from requiring a building  
65        permit for the installation of temporary residential  
66        hurricane and flood protection walls or barriers that  
67        meet certain requirements; providing an exception;  
68        requiring certain owners and contractors to submit a  
69        written request for exemption to the local enforcement  
70        agency with specified documentation; providing that  
71        local governments do not have a duty to certain  
72        persons; authorizing the Florida Building Commission  
73        to adopt rules; requiring certain local governments to  
74        issue a building permit for the installation of  
75        certain retaining walls as a whole; prohibiting such

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76        local governments from requiring building permits for  
77        each lot or parcel under certain circumstances;  
78        prohibiting a political subdivision from imposing  
79        certain requirements for glazing on certain proposed  
80        construction or restoration projects; providing an  
81        exception; defining the terms "glazing" and "primary  
82        facade"; amending s. 553.791, F.S.; revising  
83        definitions and defining terms; requiring explicit  
84        written authorization from a fee owner for a  
85        contractor to use a private provider; requiring that  
86        such authorization be submitted to the local building  
87        official; deleting the requirement that a contract for  
88        certain services be in writing; providing that a  
89        contract for certain services does not need to be  
90        submitted as part of a permit application; providing  
91        requirements for reduced permit fees; prohibiting a  
92        local jurisdiction from charging punitive  
93        administrative fees or fees for plans review services;  
94        requiring that certain documents be promptly provided  
95        to certain persons; requiring local enforcement  
96        agencies to reduce permit fees by specified  
97        percentages under certain circumstances; providing  
98        that a local enforcement agency forfeits the ability  
99        to collect fees under certain circumstances; requiring  
100        that a surcharge be calculated based on the reduced

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101        permit fee; prohibiting local governments and local  
102        building officials from requiring additional forms;  
103        requiring local enforcement agencies to create a  
104        specified registration system that must have a method  
105        to register and update registration information  
106        electronically; prohibiting local enforcement agencies  
107        from charging an administrative fee to register or  
108        update registration information; requiring private  
109        provider firms to register with the local enforcement  
110        agency, provide certain information, and update their  
111        registration within a specified timeframe after  
112        changes occur; prohibiting local enforcement agencies  
113        from altering a form adopted by the commission;  
114        deleting the requirement that a private provider's  
115        qualification statements or resumes be included in a  
116        certain notice; deleting time restrictions for  
117        electing to use a private provider; requiring local  
118        enforcement agencies to accept a certain affidavit  
119        electronically; providing which forms and documents a  
120        local building official may review; providing notice  
121        requirements; providing that certain permits are  
122        deemed approved; providing that local enforcement  
123        agencies are not responsible for the administration or  
124        supervision of services performed by a private  
125        provider; prohibiting local enforcement agencies from

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requiring additional verification of certain requirements beyond that which is required at registration; revising the timeframe in which certain records must be provided; authorizing certain records to be electronically transmitted; prohibiting local building officials from failing certain inspections; authorizing certain persons to sign certificates of compliance; providing requirements for local building officials who have knowledge that a private provider failed to perform an inspection; providing that virtual inspections may not be prohibited; requiring certain notice before an audit; prohibiting certain entities from discouraging the use of private providers; authorizing certain public entities to use a private provider firm or to employ a licensed building inspector to provide building code inspection services; amending s. 553.792, F.S.; requiring a local government to make certain decisions relating to certain building permits within a specified timeframe; amending s. 720.3035, F.S.; prohibiting an association or certain committees from requiring a building permit as a prerequisite for a certain review; providing an effective date.

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

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151  
152 Section 1. Paragraph (d) of subsection (4) of section  
153 125.56, Florida Statutes, is amended to read:

154 125.56 Enforcement and amendment of the Florida Building  
155 Code and the Florida Fire Prevention Code; inspection fees;  
156 inspectors; etc.—

157 (4)

158 (d) A county that issues building permits may send a  
159 written notice of expiration, by e-mail or United States Postal  
160 Service, to the owner of the property and the contractor listed  
161 on the permit, no less than 30 days before a building permit is  
162 set to expire. The written notice must identify the permit that  
163 is set to expire and the date the permit will expire. A building  
164 permit issued by a county for a single-family dwelling expires 1  
165 year after the issuance of the permit or on the effective date  
166 of the next edition of the Florida Building Code, whichever is  
167 later. However, this paragraph does not prevent a local  
168 government from extending a building permit beyond the  
169 expiration date.

170 Section 2. Present subsection (4) of section 287.056,  
171 Florida Statutes, is redesignated as subsection (5), and a new  
172 subsection (4) is added to that section, to read:

173 287.056 Purchases from purchasing agreements and state  
174 term contracts; vendor disqualification.—

175 (4) The department shall enter into and maintain one or

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more state term contracts with vendors for the purpose of  
providing building code inspection services as defined in s.  
553.791.

Section 3. Section 468.634, Florida Statutes, is created  
to read:

468.634 Certification by endorsement during a state of  
emergency.—Notwithstanding any other law, a person may act in  
any of the following positions under the direction of the local  
building official for a period of 1 year from the date of a  
declaration of a state of emergency issued by the Governor for a  
natural emergency, a manmade emergency, or a technological  
emergency as those terms are defined in s. 252.34, if such  
person has entered into a state term contract pursuant to s.  
287.056, is qualified for such work in any state that has a  
mutual aid agreement pursuant to s. 252.40(2), or has held a  
valid license for such work in any state for 5 years immediately  
before the date of the declaration:

- (1) Building code inspector.
- (2) Building inspector.
- (3) Coastal construction inspector.
- (4) Commercial electrical inspector.
- (5) Electrical inspector.
- (6) Mechanical inspector.
- (7) Plumbing inspector.
- (8) Residential electrical inspector.

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(9) Residential inspector.

(10) Plans examiner.

(11) Building plans examiner.

(12) Plumbing plans examiner.

(13) Mechanical plans examiner.

(14) Electrical plans examiner.

Section 4. Paragraph (o) of subsection (1) of section 489.129, Florida Statutes, is amended to read:

489.129 Disciplinary proceedings.—

(1) The board may take any of the following actions against any certificateholder or registrant: place on probation or reprimand the licensee, revoke, suspend, or deny the issuance or renewal of the certificate or registration, require financial restitution to a consumer for financial harm directly related to a violation of a provision of this part, impose an administrative fine not to exceed \$10,000 per violation, require continuing education, or assess costs associated with investigation and prosecution, if the contractor, financially responsible officer, or business organization for which the contractor is a primary qualifying agent, a financially responsible officer, or a secondary qualifying agent responsible under s. 489.1195 is found guilty of any of the following acts:

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

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

Section 5. Section 553.382, Florida Statutes, is amended to read:

553.382 Placement of certain housing.—Notwithstanding any other law or ordinance to the contrary, in order to expand the availability of affordable housing in this state, any residential manufactured building that is certified under this chapter by the department may not be denied a building permit for placement ~~be placed~~ on a mobile home lot in a mobile home park, on a lot in a recreational vehicle park, or in a mobile home condominium, cooperative, or subdivision. Any such housing unit placed on a mobile home lot is a mobile home for purposes of chapter 723 and, therefore, all rights, obligations, and duties under chapter 723 apply, including the specifics of the

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prospectus. However, a housing unit subject to this section may not be placed on a mobile home lot without the prior written approval of the park owner. Each housing unit located on a mobile home lot and subject to this section shall be taxed as a mobile home under s. 320.08(11) and is subject to payments to the Florida Mobile Home Relocation Fund under s. 723.06116.

Section 6. Section 553.385, Florida Statutes, is created to read:

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

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

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

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

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

(b) A local government may not adopt or enforce any zoning, land use, or development regulation that treats an offsite-constructed residential dwelling differently or more restrictively than a single-family site-built dwelling allowed in the same district.

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276        (c) This section does not prohibit a local government from  
277 applying generally applicable architectural, aesthetic, design,  
278 setback, height, or bulk standards to offsite-constructed  
279 residential dwellings, provided such standards apply equally to  
280 site-built single-family dwellings permitted in the same  
281 district. A local government may adopt compatibility standards  
282 that are limited to the following architectural features:

- 283            1. Roof pitch.
- 284            2. Square footage of livable space.
- 285            3. Type and quality of exterior finishing materials.
- 286            4. Foundation enclosure.
- 287            5. Existence and type of attached structures.
- 288            6. Building setbacks, lot dimensions, and the orientation  
289 of the home on the lot.

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

294        (3) A local government may not adopt or enforce any  
295 zoning, land use, or development ordinance or regulation that  
296 conflicts with this section or s. 553.38, or that imposes  
297 different or more restrictive treatment on an offsite-  
298 constructed residential dwelling based on its method of  
299 construction or the presence of components built off site. Local  
300 government ordinances or regulations may not have the effect of

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

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

553.77 Specific powers of the commission.—

(1) The commission shall:

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

(d)~~(e)~~ Upon written application by any substantially affected person or a local enforcement agency, issue declaratory statements pursuant to s. 120.565 relating to new technologies,

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326 techniques, and materials which have been tested where necessary  
327 and found to meet the objectives of the Florida Building Code.  
328 This paragraph does not apply to the types of products,  
329 materials, devices, or methods of construction required to be  
330 approved under paragraph (g) ~~(f)~~.

331 Section 8. Paragraphs (a), (b), (c), and (f) of subsection  
332 (1) and paragraph (a) of subsection (24) of section 553.79,  
333 Florida Statutes, are amended, and paragraphs (g), (h), and (i)  
334 are added to subsection (1) of that section, to read:

335 553.79 Permits; applications; issuance; inspections.—

336 (1)(a) Unless otherwise provided by law, after the  
337 effective date of the Florida Building Code adopted as herein  
338 provided, it shall be unlawful for any person, firm,  
339 corporation, or governmental entity to construct, erect, alter,  
340 modify, repair, or demolish any building within this state  
341 without first obtaining a permit therefor from the appropriate  
342 enforcing agency or from such persons as may, by appropriate  
343 resolution or regulation of the authorized state or local  
344 enforcing agency, be delegated authority to issue such permits,  
345 upon the payment of such reasonable fees adopted by the  
346 enforcing agency. The enforcing agency is empowered to revoke  
347 any such permit upon a determination by the agency that the  
348 construction, erection, alteration, modification, repair, or  
349 demolition of the building for which the permit was issued is in  
350 violation of, or not in conformity with, the provisions of the

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Florida Building Code. Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. A plans reviewer or building code administrator who is responsible for issuing a denial, revocation, or modification request but fails to provide to the permit applicant a reason for denying, revoking, or requesting a modification, based on compliance with the Florida Building Code or local ordinance, is subject to disciplinary action against his or her license pursuant to s. 468.621(1)(i). Installation, replacement, removal, or metering of any load management control device is exempt from and shall not be subject to the permit process and fees otherwise required by this section.

(b) A local enforcement agency shall post each type of building permit application, as adopted by the commission, including a list of all required attachments, drawings, or other requirements for each type of application, on its website. A local enforcement agency shall ~~must~~ post and update the status of every received application on its website until the issuance

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376 of the building permit. A local enforcement agency shall allow  
377 applicants to submit completed applications, including payments,  
378 attachments, drawings, or other requirements or parts of the  
379 ~~completed~~ permit application, ~~must be able to be submitted~~  
380 electronically to the appropriate building department. Accepted  
381 methods of electronic submission include, but are not limited  
382 to, e-mail submission of applications in Portable Document  
383 Format or submission of applications through an electronic fill-  
384 in form available on the building department's website or  
385 through a third-party submission management software. A building  
386 official, at his or her discretion, may accept completed  
387 applications, including payments, attachments, drawings, or  
388 other requirements or parts of the ~~completed~~ permit application,  
389 ~~may also be submitted~~ in person in a nonelectronic format, ~~at~~  
390 ~~the discretion of the building official.~~

391 (c) A local government that issues building permits may  
392 send a written notice of expiration, by e-mail or United States  
393 Postal Service, to the owner of the property and the contractor  
394 listed on the permit, no less than 30 days before a building  
395 permit is set to expire. The written notice must identify the  
396 permit that is set to expire and the date the permit will  
397 expire. A building permit issued by a local government for a  
398 single-family dwelling expires 1 year after the issuance of the  
399 permit or on the effective date of the next edition of the  
400 Florida Building Code, whichever is later. However, this

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paragraph does not prevent a local government from extending a building permit beyond the expiration date.

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

(g)1. A local government that issues building permits shall exempt an owner of a single-family dwelling or the owner's contractor from the requirement to obtain a building permit to perform any work valued at less than \$7,500 on the owner's property.

2. The exemption under subparagraph 1. does not apply to any of the following:

a. Work on a property that is partially or entirely located in a flood hazard area as defined by the Florida Building Code.

b. Any electrical, plumbing, structural, mechanical, or gas work performed on property containing a single-family dwelling. A construction project may not be divided into more than one project for the purpose of evading the requirements of

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426 | this paragraph.

427 |       3. To qualify for the exemption under subparagraph 1., the  
428 | owner or the owner's contractor must submit a written request  
429 | for exemption to the local enforcement agency with a copy of the  
430 | contract or other documentation demonstrating the nature and the  
431 | value of the work to be performed.

432 |       4. A local government has no legal duty to the owner,  
433 | contractor, or successors or assigns thereof for exempted work  
434 | performed under this paragraph.

435 |       (h)1. A local government that issues building permits  
436 | shall exempt an owner of a single-family dwelling or the owner's  
437 | contractor from the requirement to obtain a building permit for  
438 | the installation of temporary residential hurricane and flood  
439 | protection walls or barriers that meet all of the following  
440 | conditions:

441 |           a. The wall or barrier is nonhabitable and non-load-  
442 | bearing.

443 |           b. The wall or barrier is installed on the residential  
444 | property of a single-family or two-family dwelling or townhouse.

445 |           c. The wall or barrier is constructed to mitigate or  
446 | prevent storm surge or floodwaters from entering a structure or  
447 | property.

448 |           d. The wall or barrier is installed by a contractor  
449 | licensed under part I of chapter 489.

450 |           e. The wall or barrier complies with applicable local

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451 zoning, drainage, easement, and setback requirements.

452 2. The exemption under subparagraph 1. does not apply to  
453 work on a property that is partially or entirely located in a  
454 flood hazard area as defined by the Florida Building Code.

455 3. To qualify for the exemption under subparagraph 1., the  
456 owner or the owner's contractor must submit a written request  
457 for exemption to the local enforcement agency with a copy of the  
458 contract or other documentation demonstrating the nature of the  
459 work to be performed.

460 4. A local government has no legal duty to the owner,  
461 contractor, or successors or assigns thereof for work performed  
462 under this paragraph.

463 5. The commission may adopt rules under s. 120.54 to  
464 incorporate necessary standards to implement this paragraph.

465 (i) If a retaining wall spans more than one lot or parcel,  
466 a local government that issues building permits must issue a  
467 permit for a retaining wall for the project as a whole and may  
468 not require a building permit for each lot or parcel upon which  
469 a retaining wall is installed on the property of a single-family  
470 or two-family residential dwelling or a townhouse.

471 (24) (a) A political subdivision of this state may not  
472 adopt or enforce any ordinance or impose any building permit or  
473 other development order requirement that:

474 1. Contains any building, construction, or aesthetic  
475 requirement or condition that conflicts with or impairs

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476 corporate trademarks, service marks, trade dress, logos, color  
477 patterns, design scheme insignia, image standards, or other  
478 features of corporate branding identity on real property or  
479 improvements thereon used in activities conducted under chapter  
480 526 or in carrying out business activities defined as a  
481 franchise by Federal Trade Commission regulations in 16 C.F.R.  
482 ss. 436.1, et~~er~~ seq.; ~~or~~

483 2. Imposes any requirement on the design, construction, or  
484 location of signage advertising the retail price of gasoline in  
485 accordance with the requirements of ss. 526.111 and 526.121  
486 which prevents the signage from being clearly visible and  
487 legible to drivers of approaching motor vehicles from a vantage  
488 point on any lane of traffic in either direction on a roadway  
489 abutting the gas station premises and meets height, width, and  
490 spacing standards for Series C, D, or E signs, as applicable,  
491 published in the latest edition of Standard Alphabets for  
492 Highway Signs published by the United States Department of  
493 Commerce, Bureau of Public Roads, Office of Highway Safety; or

494 3. Imposes a glazing requirement that results in the  
495 glazing of more than 15 percent of the surface area of the  
496 primary facade for the first 10 feet above the ground floor for  
497 a proposed new commercial or mixed-use construction or  
498 restoration project, except for individually listed contributing  
499 structures in a National Register of Historic Places district.  
500 For purposes of this subparagraph, the term:

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

505        b. "Primary facade" means the single building side housing  
506 the primary entrance to the building.

507        Section 9. Section 553.791, Florida Statutes, is amended  
508 to read:

509        553.791 Alternative plans review and inspection.—

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

511        (a) "Applicable codes" means the Florida Building Code and  
512 any local technical amendments to the Florida Building Code but  
513 does not include the applicable minimum fire prevention and  
514 firesafety codes adopted pursuant to chapter 633.

515        (b) "Audit" means the process to confirm that the building  
516 code inspection services have been performed by the private  
517 provider, including ensuring that the required affidavit for the  
518 plan review has been properly completed and submitted with the  
519 permit documents and that the minimum mandatory inspections  
520 required under the building code have been performed and  
521 properly recorded. The local building official may not replicate  
522 the plan review or inspection being performed by the private  
523 provider, unless expressly authorized by this section.

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

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526 structure or site work for which permitting by a local  
527 enforcement agency is required.

528 (d) "Building code inspection services" means those  
529 services described in s. 468.603(5) and (8) involving the review  
530 of building plans as well as those services involving the review  
531 of site plans and site work engineering plans or their  
532 functional equivalent, to determine compliance with applicable  
533 codes and those inspections required by law, conducted either in  
534 person or virtually, of each phase of construction for which  
535 permitting by a local enforcement agency is required to  
536 determine compliance with applicable codes.

537 (e) "Deliver" or "delivery" means any method of delivery  
538 used in conventional business or commercial practice, including  
539 delivery by electronic transmissions such as e-mail or  
540 submission through an electronic fill-in form available on the  
541 building department's website or through a third-party  
542 submission management software.

543 (f) "Duly authorized representative" means an agent of the  
544 private provider identified in the permit application who  
545 reviews plans or performs inspections as provided by this  
546 section and who is licensed as an engineer under chapter 471 or  
547 as an architect under chapter 481 or who holds a standard or  
548 provisional certificate under part XII of chapter 468. A duly  
549 authorized representative who only holds a provisional  
550 certificate under part XII of chapter 468 must be under the

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direct supervision of a person licensed as a building code administrator under part XII of chapter 468.

(g) "Electronic signature" means any letters, characters, or symbols manifested by electronic or similar means which are executed or adopted by a party with an intent to authenticate a writing or record.

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

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

(j) "Immediate threat to public safety and welfare" means a building code violation that, if allowed to persist, constitutes an immediate hazard that could result in death, serious bodily injury, or significant property damage. This paragraph does not limit the authority of the local building official to issue a Notice of Corrective Action at any time

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576 during the construction of a building project or any portion of  
577 such project if the official determines that a condition of the  
578 building or portion thereof may constitute a hazard when the  
579 building is put into use following completion as long as the  
580 condition cited is shown to be in violation of the building code  
581 or approved plans.

582 (k) "Local building official" means the individual within  
583 the governing jurisdiction responsible for direct regulatory  
584 administration or supervision of plans review, enforcement, and  
585 inspection of any construction, erection, alteration,  
586 demolition, or substantial improvement of, or addition to, any  
587 structure for which permitting is required to indicate  
588 compliance with applicable codes and includes any duly  
589 authorized designee of such person.

590 (l) "Permit application" means a properly completed and  
591 submitted application for the requested building or construction  
592 permit, including:

593 1. The plans reviewed by the private provider, or in the  
594 case of a single-trade plans review where a private provider  
595 uses an automated or software-based plans review system pursuant  
596 to subsection (7) ~~(6)~~, the information reviewed by the automated  
597 or software-based plans review system to determine compliance  
598 with one or more applicable codes.

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

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601           3. Any applicable fees.

602           4. Any documents required by the local building official  
603 to determine that the fee owner has secured all other government  
604 approvals required by law.

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

609           (n) "Private provider" means a person licensed as a  
610 building code administrator under part XII of chapter 468, as an  
611 engineer under chapter 471, or as an architect under chapter  
612 481. For purposes of performing inspections under this section  
613 for additions and alterations that are limited to 1,000 square  
614 feet or less to residential buildings, the term "private  
615 provider" also includes a person who holds a standard  
616 certificate under part XII of chapter 468.

617           (o) "Private provider firm" means a business organization,  
618 including a corporation, partnership, business trust, or other  
619 legal entity, which offers services under this chapter to the  
620 public through licensees who are acting as agents, employees,  
621 officers, or partners of the firm. A person who is licensed as a  
622 building code administrator under part XII of chapter 468, an  
623 engineer under chapter 471, or an architect under chapter 481  
624 may act as a private provider for an agent, employee, or officer  
625 of the private provider firm.

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

628        (q)~~(p)~~ "Request for certificate of occupancy or  
629 certificate of completion" means a properly completed and  
630 executed application for:

631            1. A certificate of occupancy or certificate of  
632 completion.

633            2. A certificate of compliance from the private provider  
634 required under subsection (15) ~~(13)~~.

635            3. Any applicable fees.

636            4. Any documents required by the local building official  
637 to determine that the fee owner has secured all other government  
638 approvals required by law.

639        (r)~~(q)~~ "Single-trade inspection" or "single-trade plans  
640 review" means any inspection or plans review focused on a single  
641 construction trade, such as plumbing, mechanical, or electrical.  
642 The term includes, but is not limited to, inspections or plans  
643 reviews of door or window replacements; fences and block walls  
644 more than 6 feet high from the top of the wall to the bottom of  
645 the footing; stucco or plastering; reroofing with no structural  
646 alteration; solar energy and energy storage installations or  
647 alterations; HVAC replacements; ductwork or fan replacements;  
648 alteration or installation of wiring, lighting, and service  
649 panels; water heater changeouts; sink replacements; and  
650 repiping.

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651        ~~(s)-(r)~~ "Site work" means the portion of a construction  
652 project that is not part of the building structure, including,  
653 but not limited to, grading, excavation, landscape irrigation,  
654 and installation of driveways.

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

659        (2) (a) Notwithstanding any other law or local government  
660 ordinance or local policy, the fee owner of a building or  
661 structure, or the fee owner's contractor upon explicit written  
662 authorization from the fee owner, may choose at any time to use  
663 a private provider to provide plans review or building code  
664 inspection services with regard to such building or structure  
665 and may make payment directly to the private provider for the  
666 provision of such services. All such services shall be the  
667 subject of a ~~written~~ contract between the private provider, or  
668 the private provider's firm, and the fee owner or the fee  
669 owner's contractor, upon explicit written authorization of the  
670 fee owner. A copy of such written authorization must be  
671 submitted to the local building official. The local enforcement  
672 agency may not require the contract to be provided as part of  
673 the permit application or as a condition for issuing a permit.  
674 The fee owner may elect to use a private provider to provide  
675 plans review or required building inspections, or both. However,

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676 | if the fee owner or the fee owner's contractor uses a private  
677 | provider to provide plans review, the local building official,  
678 | in his or her discretion and pursuant to duly adopted policies  
679 | of the local enforcement agency, may require the fee owner or  
680 | the fee owner's contractor to use a private provider to also  
681 | provide required building inspections.

682 |       (b) If a fee an owner or the fee owner's contractor  
683 | retains a private provider for purposes of plans review or  
684 | building inspection services, the local jurisdiction must reduce  
685 | the permit fee by the amount of cost savings realized by the  
686 | local enforcement agency for not having to perform such  
687 | services. Such reduction may be calculated on a flat fee or  
688 | percentage basis, or any other reasonable means by which a local  
689 | enforcement agency assesses the cost for its plans review or  
690 | inspection services. The permit fee must be based on the cost  
691 | incurred by the local jurisdiction, including the labor cost of  
692 | the personnel providing such services and the clerical and  
693 | supervisory assistance required to comply with this section. The  
694 | local jurisdiction may not charge fees for plans review or  
695 | building inspections if the fee owner or the fee owner's  
696 | contractor hires a private provider to perform such services.  
697 | The local enforcement agency may not charge punitive  
698 | administrative fees when a fee owner has chosen to work with a  
699 | private provider; however, the local jurisdiction may charge a  
700 | reasonable administrative fee, which shall be based on the cost

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701 ~~that is actually incurred, including the labor cost of the~~  
702 ~~personnel providing the service, by the local jurisdiction or~~  
703 ~~attributable to the local jurisdiction for the clerical and~~  
704 ~~supervisory assistance required, or both.~~

705 (c) If a fee ~~an~~ owner or the fee owner's ~~a~~ contractor  
706 retains a private provider for purposes of plans review or  
707 building inspection services, the local jurisdiction must  
708 provide equal access to all permitting and inspection documents  
709 and reports to the private provider, owner, and contractor if  
710 such access is provided by software that protects exempt records  
711 from disclosure. Access to these documents must be promptly  
712 provided.

713 (d) If a fee owner or the fee owner's contractor retains a  
714 private provider for purposes of plans review or building  
715 inspection services for a commercial construction project, the  
716 local enforcement agency must reduce the permit fee by at least  
717 25 percent of the portion of the permit fee attributable to  
718 plans review or building inspection services, as applicable. If  
719 the fee owner or the fee owner's contractor retains a private  
720 provider for all required plans review and building inspection  
721 services, the local enforcement agency must reduce the total  
722 permit fee by at least 50 percent of the amount otherwise  
723 charged for such services. If the local enforcement agency does  
724 not reduce such fee by at least the percentages provided in this  
725 paragraph, the local enforcement agency forfeits the ability to

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726 collect any fees for the commercial construction project. The  
727 surcharge required by s. 553.721 must be calculated based on the  
728 amount of the reduced permit fee. This paragraph does not  
729 prohibit a local enforcement agency from reducing a permit fee  
730 in excess of the percentages provided in this paragraph.

731 (e) A local government or local building official may not  
732 require additional forms beyond those required at registration,  
733 except for the written notice required under subsection (5), if  
734 a fee owner or the fee owner's contractor uses a private  
735 provider.

736 (3) A private provider and any duly authorized  
737 representative may only perform building code inspection  
738 services that are within the disciplines covered by that  
739 person's licensure or certification under chapter 468, chapter  
740 471, or chapter 481, including single-trade inspections. A  
741 private provider may not provide building code inspection  
742 services pursuant to this section upon any building designed or  
743 constructed by the private provider or the private provider's  
744 firm.

745 (4) A local enforcement agency must create a registration  
746 system for private providers and private provider firms working  
747 in the local enforcement agency's jurisdiction. A local  
748 enforcement agency must have a method to register and update  
749 registration information electronically. The local enforcement  
750 agency may not charge an administrative fee for registration or

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751 updates to a registration. The private provider or private  
752 provider firm must provide its contact information and verify  
753 compliance with the licensure requirements of paragraph (1)(n)  
754 or paragraph (1)(o), as applicable, and the insurance  
755 requirements of subsection (20). The private provider or private  
756 provider firm must register with the local enforcement agency in  
757 the jurisdiction in which the provider or firm is working before  
758 contracting to provide services in such jurisdiction. The  
759 private provider or private provider firm must update its  
760 registration within 5 business days after any change to the  
761 provider's or firm's contact information, licensure, or  
762 insurance coverage.

763 (5)-(4)- A fee owner or the fee owner's contractor using a  
764 private provider to provide building code inspection services  
765 shall notify the local building official in writing at the time  
766 of permit application, or by 2 p.m. local time, 2 business days  
767 before the first scheduled inspection by the local building  
768 official or building code enforcement agency that a private  
769 provider has been contracted to perform the required inspections  
770 of construction under this section, including single-trade  
771 inspections, on a form ~~to be~~ adopted by the commission. The  
772 local enforcement agency may not alter the form. This notice  
773 must ~~shall~~ include the following information:

- 774 (a) The services to be performed by the private provider.  
775 (b) The name, firm, address, telephone number, and e-mail

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776 address of each private provider who is performing or will  
777 perform such services, his or her professional license or  
778 certification number, ~~qualification statements or resumes,~~ and,  
779 if required by the local building official, a certificate of  
780 insurance demonstrating that professional liability insurance  
781 coverage is in place for the private provider's firm, the  
782 private provider, and any duly authorized representative in the  
783 amounts required by this section.

784 (c) An acknowledgment from the fee owner or the fee  
785 owner's contractor in substantially the following form:  
786

787 I have elected to use one or more private providers to  
788 provide building code plans review and/or inspection  
789 services on the building or structure that is the  
790 subject of the enclosed permit application, as  
791 authorized by s. 553.791, Florida Statutes. I  
792 understand that the local building official may not  
793 review the plans submitted or perform the required  
794 building inspections to determine compliance with the  
795 applicable codes, except to the extent specified in  
796 said law. Instead, plans review and/or required  
797 building inspections will be performed by licensed or  
798 certified personnel identified in the application. The  
799 law requires minimum insurance requirements for such  
800 personnel, but I understand that I may require more

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insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

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

(6) ~~(5)~~ After construction has commenced ~~and if either the local building official is unable to provide inspection services~~

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826 ~~in a timely manner or the work subject to inspection is related~~  
827 ~~to a single-trade inspection for a single-family or two-family~~  
828 ~~dwelling~~, the fee owner or the fee owner's contractor may elect  
829 to use a private provider to provide inspection services for a  
830 single-trade inspection for a single-family or two-family  
831 dwelling by notifying the local building official of the owner's  
832 or contractor's intention to do so ~~by 2 p.m. local time, 2~~  
833 ~~business days~~ before the next scheduled inspection using the  
834 notice provided for in paragraphs (5) (a), (b), and (c) ~~(4) (a)-~~  
835 ~~(e)~~.

836 (7) ~~(6)~~ A private provider performing plans review under  
837 this section shall review the plans to determine compliance with  
838 the applicable codes. For single-trade plans reviews, a private  
839 provider may use an automated or software-based plans review  
840 system designed to determine compliance with one or more  
841 applicable codes, including, but not limited to, the National  
842 Electrical Code and the Florida Building Code. Upon determining  
843 that the plans reviewed comply with the applicable codes, the  
844 private provider shall prepare an affidavit or affidavits  
845 certifying, under oath, that the following is true and correct  
846 to the best of the private provider's knowledge and belief:

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

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

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

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

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

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

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876 ~~single-family or two-family dwelling, no more than 5 business~~  
877 ~~days, after receipt of a permit application and the affidavit~~  
878 ~~from the private provider required pursuant to subsection (6),~~  
879 ~~the local building official shall issue the requested permit or~~  
880 ~~provide a written notice to the permit applicant identifying the~~  
881 ~~specific plan features that do not comply with the applicable~~  
882 ~~codes, as well as the specific code chapters and sections. If~~  
883 ~~the local building official does not provide such a written~~  
884 ~~notice of the plan deficiencies within the prescribed time~~  
885 ~~period, the permit application must be deemed approved as a~~  
886 ~~matter of law, and the permit must be issued by the local~~  
887 ~~building official on the next business day.~~

888 ~~(c)-(b)~~ If the local building official provides a written  
889 ~~notice of plan deficiencies~~ to the permit applicant of any  
890 incomplete forms or documents required under this section at the  
891 time of plan submission within the prescribed time period, such  
892 ~~the~~ time period is tolled pending resolution of the matter. To  
893 resolve the issues raised in the notice ~~plan deficiencies~~, the  
894 permit applicant may elect to dispute the issues ~~deficiencies~~  
895 pursuant to subsection (17) ~~(15)~~ or to submit revisions to  
896 correct the issues ~~deficiencies~~.

897 ~~(d)-(e)~~ If the permit applicant submits revisions, the  
898 local building official has the remainder of the tolled 10-day  
899 or 5-day time period plus 5 business days ~~after the date of~~  
900 ~~resubmittal~~ to issue the requested permit or to provide a second

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901 written notice to the permit applicant stating which of the  
902 previously identified forms or documents ~~plan features~~ remain  
903 incomplete ~~in noncompliance with the applicable codes, with~~  
904 ~~specific reference to the relevant code chapters and sections.~~  
905 Any subsequent review by the local building official is limited  
906 to the issues ~~deficiencies~~ cited in the original written notice.  
907 If the local building official does not provide the second  
908 written notice within the prescribed time period, the permit  
909 must be deemed approved as a matter of law, and the local  
910 building official must issue the permit on the next business  
911 day.

912 (e) ~~(d)~~ If the local building official provides a second  
913 written notice ~~of plan deficiencies~~ to the permit applicant  
914 within the prescribed time period, the permit applicant may  
915 elect to dispute the issues raised in the second notice  
916 ~~deficiencies~~ pursuant to subsection (17) ~~(15)~~ or to submit  
917 additional revisions to correct the issues ~~deficiencies~~. For all  
918 revisions submitted after the first revision, the local building  
919 official has an additional 5 business days ~~after the date of~~  
920 ~~resubmittal~~ to issue the requested permit or to provide a  
921 written notice to the permit applicant stating which of the  
922 previously identified forms or documents ~~plan features~~ remain  
923 incomplete. If the local building official does not provide the  
924 notice within the prescribed time period, the permit must be  
925 deemed approved as a matter of law, and the local building

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926 official must issue the permit on the next business day ~~in~~  
927 ~~noncompliance with the applicable codes, with specific reference~~  
928 ~~to the relevant code chapters and sections.~~

929 (9)~~(8)~~ A private provider performing required inspections  
930 under this section shall inspect each phase of construction as  
931 required by the applicable codes. Such inspection, including a  
932 single-trade inspection, may be performed in person or  
933 virtually. The private provider may have a duly authorized  
934 representative perform the required inspections, provided all  
935 required reports are prepared by and bear the written or  
936 electronic signature of the private provider or the private  
937 provider's duly authorized representative. The duly authorized  
938 representative must be an employee of the private provider  
939 entitled to receive reemployment assistance benefits under  
940 chapter 443. The contractor's contractual or legal obligations  
941 are not relieved by any action of the private provider.

942 (10)~~(9)~~ ~~A private provider performing required inspections~~  
943 ~~under this section shall provide notice to the local building~~  
944 ~~official of the approximate date and time of any such~~  
945 ~~inspection.~~ The local building official may not prohibit the  
946 private provider from performing any inspection outside the  
947 local building official's normal operating hours, including  
948 after hours, weekends, or holidays. ~~The local building official~~  
949 ~~may visit the building site as often as necessary to verify that~~  
950 ~~the private provider is performing all required inspections. A~~

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deficiency notice must be posted by the private provider, the duly authorized representative of the private provider, or the building department whenever a noncomplying item related to the building code or the permitted documents is found. Such notice may be physically posted at the job site or electronically posted. After corrections are made, the item must be reinspected by the private provider or the representative of the private provider before being concealed. ~~Reinspection or reaudit fees shall not be charged by~~ The local jurisdiction may not charge reinspection or reaudit fees as a result of the local jurisdiction's audit inspection occurring before the performance of the private provider's inspection or for any other administrative matter not involving the detection of a violation of the building code or a permit requirement.

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

(12) ~~(10)~~ If the private provider is a person licensed as an engineer under chapter 471 or an architect under chapter 481 and affixes his or her professional seal to the affidavit required under subsection (7) ~~(6)~~, the local building official

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976 must issue the requested permit or provide a written notice to  
977 the permit applicant identifying the specific plan features that  
978 do not comply with the applicable codes, as well as the specific  
979 code chapters and sections, within 10 business days after  
980 receipt of the permit application and affidavit. In such written  
981 notice, the local building official must provide with  
982 specificity the plan's deficiencies, the reasons the permit  
983 application failed, and the applicable codes being violated. If  
984 the local building official does not provide specific written  
985 notice to the permit applicant within the prescribed 10-day  
986 period, the permit application is deemed approved as a matter of  
987 law, and the local building official must issue the permit on  
988 the next business day.

989        (13)~~(11)~~ If equipment replacements and repairs must be  
990 performed in an emergency situation, subject to the emergency  
991 permitting provisions of the Florida Building Code, a private  
992 provider may perform emergency inspection services without first  
993 notifying the local building official ~~pursuant to subsection~~  
994 ~~(9)~~. A private provider must conduct the inspection within 3  
995 business days after being contacted to conduct an emergency  
996 inspection and must submit the inspection report to the local  
997 building official within 1 day after the inspection is  
998 completed.

999        (14)~~(12)~~ Upon completing the required inspections at each  
1000 applicable phase of construction, the private provider shall

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1001 record such inspections on a form provided by the commission  
1002 ~~acceptable to the local building official~~. The form must bear  
1003 the written or electronic signature of the private provider or  
1004 the private provider's duly authorized representative. These  
1005 inspection records must ~~shall~~ reflect those inspections required  
1006 by the applicable codes of each phase of construction for which  
1007 permitting by a local enforcement agency is required. The  
1008 private provider, upon completion of the required inspection,  
1009 shall post each completed inspection record, indicating pass or  
1010 fail, and provide the record to the local building official  
1011 within 4 ~~2~~ business days. Such inspection record may be  
1012 electronically posted by the private provider, or the private  
1013 provider may post such inspection record physically at the  
1014 project site. The private provider may electronically transmit  
1015 the record to the local building official. The local building  
1016 official may waive the requirement to provide a record of each  
1017 inspection within 4 ~~2~~ business days if the record is  
1018 electronically posted or transmitted or posted at the project  
1019 site and all such inspection records are submitted with the  
1020 certificate of compliance. Unless the records have been  
1021 electronically posted or transmitted, records of all required  
1022 and completed inspections shall be maintained at the building  
1023 site at all times and made available for review by the local  
1024 building official. A local building official may not fail any  
1025 inspection performed by a private provider for not having the

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1026 inspection records at the job site if the inspection records  
1027 have been electronically transmitted to the local building  
1028 official within the 4-business-day requirement. The private  
1029 provider shall report to the local enforcement agency any  
1030 condition that poses an immediate threat to public safety and  
1031 welfare.

1032 ~~(15)(13)~~ Upon completion of all required inspections, the  
1033 private provider firm shall prepare a certificate of compliance,  
1034 on a form provided by the commission ~~acceptable to the local~~  
1035 ~~building official~~, summarizing the inspections performed and  
1036 including a written representation, under oath, that the stated  
1037 inspections have been performed and that, to the best of the  
1038 private provider's knowledge and belief, the building  
1039 construction inspected complies with the approved plans and  
1040 applicable codes. The certificate of compliance may be signed by  
1041 any qualified licensed individual employed full time by the  
1042 private provider firm under whose authority the inspection was  
1043 completed. The statement required of the private provider shall  
1044 be substantially in the following form and shall be signed and  
1045 sealed by a private provider as established in subsection (1) or  
1046 may be electronically transmitted to the local building  
1047 official:

1048  
1049 To the best of my knowledge and belief, the building  
1050 components and site improvements outlined herein and

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1051 inspected under my authority have been completed in  
1052 conformance with the approved plans and the applicable  
1053 codes.

1054  
1055 (16) (a) ~~(14) (a)~~ The local building official may only  
1056 perform building inspections of construction that a private  
1057 provider has determined to be compliant with the applicable  
1058 codes if the local building official has knowledge that the  
1059 private provider did not perform the required inspections. If  
1060 the local building official has such knowledge, the local  
1061 building official must provide to the private provider written  
1062 notice of the facts and circumstances upon which the local  
1063 building official relied for such knowledge before performing a  
1064 required inspection. The local building official may review  
1065 forms and documents required under this section for completeness  
1066 only. No more than 10 business days, or if the permit is related  
1067 to single-family or two-family dwellings then no more than 2  
1068 business days, after receipt of a request for a certificate of  
1069 occupancy or certificate of completion and the applicant's  
1070 presentation of a certificate of compliance and approval of all  
1071 other government approvals required by law, including the  
1072 payment of all outstanding fees, the local building official  
1073 shall issue the certificate of occupancy or certificate of  
1074 completion or provide a notice to the applicant of any  
1075 incomplete forms or documents required under this section

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1076 ~~identifying the specific deficiencies, as well as the specific~~  
1077 ~~code chapters and sections.~~

1078 (b) If the local building official does not provide notice  
1079 of any incomplete forms or documents ~~the deficiencies~~ within the  
1080 applicable time periods under paragraph (a), the request for a  
1081 certificate of occupancy or certificate of completion is  
1082 automatically granted and deemed issued as of the next business  
1083 day. The local building official must provide the applicant with  
1084 the written certificate of occupancy or certificate of  
1085 completion within 10 days after it is automatically granted and  
1086 issued. To resolve any identified issues ~~deficiencies~~, the  
1087 applicant may elect to dispute the issues ~~deficiencies~~ pursuant  
1088 to subsection (17) ~~(15)~~ or to submit a corrected request for a  
1089 certificate of occupancy or certificate of completion.

1090 (17) ~~(15)~~ If the local building official determines that  
1091 the building construction or plans do not comply with the  
1092 applicable codes, the official may deny the permit or request  
1093 for a certificate of occupancy or certificate of completion, as  
1094 appropriate, or may issue a stop-work order for the project or  
1095 any portion thereof as provided by law, if the official  
1096 determines that the noncompliance poses an immediate threat to  
1097 public safety and welfare, subject to the following:

1098 (a) The local building official shall be available to meet  
1099 with the private provider within 2 business days to resolve any  
1100 dispute after issuing a stop-work order or providing notice to

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1101 the applicant denying a permit or request for a certificate of  
1102 occupancy or certificate of completion.

1103 (b) If the local building official and private provider  
1104 are unable to resolve the dispute, the matter shall be referred  
1105 to the local enforcement agency's board of appeals, if one  
1106 exists, which shall consider the matter at its next scheduled  
1107 meeting or sooner. Any decisions by the local enforcement  
1108 agency's board of appeals, or local building official if there  
1109 is no board of appeals, may be appealed to the commission as  
1110 provided by this chapter.

1111 (c) Notwithstanding any provision of this section, any  
1112 decisions regarding the issuance of a building permit,  
1113 certificate of occupancy, or certificate of completion may be  
1114 reviewed by the local enforcement agency's board of appeals, if  
1115 one exists. Any decision by the local enforcement agency's board  
1116 of appeals, or local building official if there is no board of  
1117 appeals, may be appealed to the commission as provided by this  
1118 chapter, which shall consider the matter at the commission's  
1119 next scheduled meeting.

1120 (18)~~(16)~~ For the purposes of this section, any notice to  
1121 be provided by the local building official shall be deemed to be  
1122 provided to the person or entity when successfully transmitted  
1123 to the e-mail address listed for that person or entity in the  
1124 permit application or revised permit application, or, if no e-  
1125 mail address is stated, when actually received by that person or

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entity.

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

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

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

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

(20) (18) A private provider may perform building code inspection services on a building project under this section only if the private provider maintains insurance for professional liability covering all services performed as a private provider. Such insurance shall have minimum policy

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limits of \$1 million per occurrence and \$2 million in the aggregate for any project with a construction cost of \$5 million or less and \$2 million per occurrence and \$4 million in the aggregate for any project with a construction cost of over \$5 million. Nothing in this section limits the ability of a fee owner to require additional insurance or higher policy limits. For these purposes, the term "construction cost" means the total cost of building construction as stated in the building permit application. If the private provider chooses to secure claims-made coverage to fulfill this requirement, the private provider must also maintain coverage for a minimum of 5 years after ~~subsequent to~~ the performance of building code inspection services. The insurance required under this subsection shall be written only by insurers authorized to do business in this state with a minimum A.M. Best's rating of A. Before providing building code inspection services within a local building official's jurisdiction, a private provider must provide to the local building official a certificate of insurance evidencing that the coverages required under this subsection are in force.

(21) ~~(19)~~ When performing building code inspection services, a private provider is subject to the disciplinary guidelines of the applicable professional board with jurisdiction over his or her license or certification under chapter 468, chapter 471, or chapter 481. All private providers shall be subject to the disciplinary guidelines of s.

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1176 468.621(1)(c)-(h). Any complaint processing, investigation, and  
1177 discipline that arise out of a private provider's performance of  
1178 building code inspection services shall be conducted by the  
1179 applicable professional board.

1180 (22)~~(20)~~ A local building code enforcement agency may not  
1181 audit the performance of building code inspection services by  
1182 private providers operating within the local jurisdiction until  
1183 the agency has created standard operating private provider audit  
1184 procedures for the agency's internal inspection and review  
1185 staff, which includes, at a minimum, the private provider audit  
1186 purpose and scope, private provider audit criteria, an  
1187 explanation of private provider audit processes and objections,  
1188 and detailed findings of areas of noncompliance. Such private  
1189 provider audit procedures must be publicly available online, and  
1190 a printed version must be readily accessible in agency  
1191 buildings. The private provider audit results of staff for the  
1192 prior two quarters also must be publicly available. The agency's  
1193 audit processes must adhere to the agency's posted standard  
1194 operating audit procedures. The same private provider or private  
1195 provider firm may not be audited more than four times in a year  
1196 unless the local building official determines a condition of a  
1197 building constitutes an immediate threat to public safety and  
1198 welfare, which must be communicated in writing to the private  
1199 provider or private provider firm. The private provider or  
1200 private provider firm must be given notice of each audit to be

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performed at least 5 business days before the audit. Work on a building or structure may proceed after inspection and approval by a private provider. The work may not be delayed for completion of an inspection audit by the local building code enforcement agency.

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

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

Section 10. Paragraph (a) of subsection (1) of section

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1226 553.792, Florida Statutes, is amended to read:

1227 553.792 Building permit application to local government.—

1228 (1)(a) A local government must approve, approve with  
1229 conditions, or deny a building permit application after receipt  
1230 of a completed and sufficient application within the following  
1231 timeframes, unless the applicant waives such timeframes in  
1232 writing:

1233 1. Within 5 business days after receiving a complete and  
1234 sufficient application, for an applicant using a local  
1235 government plans reviewer to obtain the following building  
1236 permits for an existing single-family residential dwelling if  
1237 the value of the work is less than \$15,000: structural,  
1238 accessory structure, alarm, electrical, gas, irrigation,  
1239 landscaping, mechanical, plumbing, or roofing.

1240 ~~2.1.~~ Within 30 business days after receiving a complete  
1241 and sufficient application, for an applicant using a local  
1242 government plans reviewer to obtain the following building  
1243 permits if the structure is less than 7,500 square feet:  
1244 residential units, including a single-family residential unit or  
1245 a single-family residential dwelling, accessory structure,  
1246 alarm, electrical, irrigation, landscaping, mechanical,  
1247 plumbing, or roofing.

1248 ~~3.2.~~ Within 60 business days after receiving a complete  
1249 and sufficient application, for an applicant using a local  
1250 government plans reviewer to obtain the following building

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permits if the structure is 7,500 square feet or more:  
residential units, including a single-family residential unit or  
a single-family residential dwelling, accessory structure,  
alarm, electrical, irrigation, landscaping, mechanical,  
plumbing, or roofing.

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

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

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

~~7.6.~~ Within 10 business days after receiving a complete  
and sufficient application, for an applicant for a single-family  
residential dwelling applied for by a contractor licensed in  
this state on behalf of a property owner who participates in a  
Community Development Block Grant-Disaster Recovery program

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~~administered by the Department of Commerce,~~ unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

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

Section 11. Paragraph (c) is added to subsection (1) of section 720.3035, Florida Statutes, to read:

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

(1)

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

Section 12. This act shall take effect July 1, 2026.