

Industries & Professional Activities Subcommittee

Tuesday, January 20, 2026
10:00 AM – 12:00 PM
Webster Hall (212 Knott)

Daniel Perez
Speaker

Mike Giallombardo
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Industries & Professional Activities Subcommittee

Start Date and Time: Tuesday, January 20, 2026 10:00 AM

End Date and Time: Tuesday, January 20, 2026 12:00 PM

Location: Webster Hall (212 Knott)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 803 Building Permits and Inspections by Trabulsy
HB 805 Veterinary Medicine by Melo
HB 929 Local Government Regulation of Chickees by Cobb, Gentry
HB 7015 OGSR/Social Media Platform and Antitrust Investigations by Government Operations Subcommittee, Greco

NOTICE FINALIZED on 01/15/2026 4:30PM by Marks.Amie

HB 803

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 803	**COMPANION BILL:** SB 1234 (DiCeglie)
TITLE: Building Permits and Inspections	**LINKED BILLS:** None
SPONSOR(S): Trabulsy	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Intergovernmental Affairs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill revises provisions relating to building code inspection services provided by private provider & private provider firms including but not limited to permit fees, administrative fees, and responsibilities of private providers. It also revises the authority of local building officials, and mandates the adoption of a uniform permitting system.

Fiscal or Economic Impact:
The bill may have an indeterminate positive fiscal impact on the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill:

- revises Florida law governing the expiration date of building permits issued by counties, providing for expiration one year after issuance or the effective date of the next edition of the Florida Building Code, whichever is later. (Section 1, 4)
- amends the Florida Building Codes Act directing the Florida Building Commission to modify the Florida Building Code to exempt the installation of certain flood protection walls from building permit requirements. To be eligible for an permit exemption, a flood protection wall must meet all of these requirements: 1) be nonhabitable and load bearing, 2) installed for a residential property that is a single or two-family dwelling or townhouse, 3) constructed to mitigate storm surge or floodwaters from entering a property, 4) installed by a contractor properly licensed by the Board under Chapter 489, F.S., and 5) the wall must be compliant with applicable local zoning, drainage, easement, and setback requirements. The bill also adds a requirement to modify the building code to state that building permits for retaining walls for residential single-family or two-family dwellings are not required for each lot or parcel. (Section 3)

The bill:

- prohibits local enforcement agencies from charging inspection fees exceeding the actual cost incurred by the agency to perform and approve the inspection required for a permit.
- prohibits local governments from requiring building permits for any work valued at less than $7,500 done on a single-family home. However, local governments may require a permit for any electrical, plumbing, or structural work no matter the cost, with the exception of the repair or replacement of exterior doors and windows. Contractors are required to keep a written record of work performed that does not require a permit, and the record must include the property address at which the work was performed and the value of the work as proof that the work complies with the statute. (Section 4)

The bill:

- revises the definition of "audit" to strictly limit local building officials to reviewing inspection reports and sworn statements submitted by licensed private providers for completeness and mandatory requirements of accuracy only. Officials may only perform a site visit in connection with an audit when they have "actual knowledge" that the inspection forms submitted by the private provider were incomplete or incorrect. If they plan to perform a site visit, officials must provide written notice to the private provider of the specific forms that are incomplete or incorrect before performing the site visit. (Section 5)
- amends the definitions of "deliver" and "delivery" to specifically include "email or any other form of electronic communication used to transit information". The definition for "Permit application" now requires site plans reviewed by a licensed reviewer to be included in permit applications by private providers and has an affirmative requirement that the plans be able to be submitted electronically. The bill amends the definition of "private provider" to increase the size of residential additions and alteration inspections performable by private providers from 1,000 to 2,500 square feet. The bill creates a definition for "system of registration" as the system used by officials to verify compliance with licensure and insurance requirements for private provider firms under Chapter 553. (Section 5)
- removes the requirement that an owner or contractor have a written contract with a private provider and adds that agreements for private provider services are not required to be submitted as part of a permit application or in order to be issued a permit. Officials are prohibited from requesting a written agreement or consent form as a condition for issuing a permit. (Section 5).
- requires local jurisdictions to reduce permit fees to the actual cost incurred by the local jurisdiction when an owner retains a private provider for building inspection services. Officials may not charge punitive, administrative, or additional fees, including fees for building inspections or site review, when an owner uses a private provider. (Section 5)
- limits the information that a local government can request from a private provider to that which it collects at registration, other than written notice from the owner or owner's contractor that a private provider has been contracted. The bill mandates the form be the exact version adopted by the commission and that it may not be altered by the local government. The bill removes the requirement that the form include "qualification statements or resumes" of private providers.
- removes the allowance for a private provider to be used after construction has commenced if the local building official is unable to provide inspection services in a timely manner and the time by which the owner or owner's contractor must provide notice. (Section 5)
- forbids the review by a local building official of plans, construction drawings, or any other related documents that has been determined by a private provider to be compliant with the applicable codes. The local building official may review other forms and documents only for completeness and must notice an applicant of any incomplete forms or documents not later than 10 days after receipt of a permit application with the private provider affidavit. If the notice is not provided within 10 days the permit must be deemed approved. The bill removes a requirement for review within 20 business days, or 5 business days for single-trade plan for single family residential, for review and notice to the applicant of specific plan features that do not comply with the applicable codes. The bill changes "plan deficiencies" to only apply to incomplete forms or documents. (Section 5)
- removes the requirement that private providers performing required inspections give notice to the local building official. Removes "the building department" as an entity that can post notice of a deficiency notice. (Section 5)

The bill indicates that a local building official is not required for the regulatory administration or supervision of inspection services performed by a private provider. Private providers are responsible for verification of licensure and insurance requirements for the firm's authorized representative. Building officials may not verify compliance or store information related to verification. (Section 5) The bill also removes the requirement that private providers notify building officials when they are performing emergency inspection services. (Section 5)

The bill:

- adds a requirement that private providers record inspections on a form provided by the commission. The bill expands the amount of time that private providers have to post the completed inspection record from 2 to 4 days, and specifies that local building officials may not fail inspections as long as they are transmitted within 4 days even if they are not posted at the job site. (Section 5)
- requires that certificates of compliance be on a form provided by the commission. The certificate of compliance may be signed by any qualified licensed individual employed full time by the privet provider. (Section 5)
- limits a local building official's ability to perform building inspections of construction that a private provider has determined to be compliant with the applicable codes to when the building official has "actual knowledge" that the private provider did not perform the required inspections. When they have that actual knowledge, they must give the private provider written notice of the facts and circumstances before performing an inspection. The building official may only review forms and documents for completeness. If the local building official does not provide notice of any incomplete forms or documents within the time period, the request for a certificate of occupancy or certificated of completion is automatically granted. (Section 5)
- changes the standard for which a local building official may deny a permit or a request for certificate of occupancy or completion, or may issue a stop-work order from "the building construction or plans do not comply with the applicable codes" to "forms or documents are incomplete". (Section 5)
- removes the option and makes mandatory that local governments establish a system of registration for private providers and prohibits local governments from charging administrative fees for registration or updating registration. (Section 5)
- adds a requirement that a deficiency notice must be provided to a private provider before a local government can issue a stop work order due to an immediate threat to public safety and welfare. (Section 5)
- prohibits a local government from prohibiting or limiting the use of virtual inspections by private providers. (Section 5)
- requires local governments to give private providers notice of audits at least 5 business days before an audit. (Section 5)

The bill also requires the Florida Building Commission develop a uniform building permit application that must be used by local governments. The application must include a checklist by project type for permitted work. (Section 6)

The bill sets the timeframe at 5 business days for review of a completed application for an applicant using a local government reviewer for building permits for an existing single-family residential dwelling if the value of the work is less than $15,000 for structural, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing. (Section 6)

The bill "deems approved" a signed and sealed application with an attestation by a licensed architect or engineer stating that the plans comply with the Florida Building Code for construction or renovation of a single-family dwelling located in a jurisdiction for which a state of emergency as issued within the prior 24 months. The local government is required to issue the permit within two days. (Section 6)

The bill prohibits homeowners' associations from requiring a building permit as a prerequisite of its review of the construction of structures or improvements (Section 7)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Building Code

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida's minimum standards were met. Local governments could choose from four separate model codes. The state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.[1]

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew easily destroyed those structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study's commission recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Building Code), and that first edition replaced all local codes on March 1, 2002.[2] The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Florida Building Code.[3]

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.[4]

The Florida Building Commission (Commission) was created to implement the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The Commission reviews several International Codes published by the International Code Council,[5] the National Electric Code, and other nationally adopted model codes to determine if the Building Code needs to be updated and adopts an updated Building Code every three years.[6]

Building Permits

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public's health, safety, and welfare.[7] Every local government must enforce the Florida Building Code and issue building permits.[8]

A building permit is an official document or certificate issued by the local building official that authorizes performance of a specific activity.[9] It is unlawful for a person, firm, or corporation to construct, erect, alter, repair, secure, or demolish any building without first obtaining a building permit from the local enforcement agency or from such persons as may, by resolution or regulation, be directed to issue such permit.[10]

Current law requires local governments to post their building permit applications, including a list of all required attachments, drawings, and documents for each application, on its website. However, other than fire alarm building permit applications, local governments are not required to have uniform building permit applications, and they are free to create their own applications with their own requirements.[11]

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[1] The Florida Building Commission Report to the 2006 Legislature, *Florida Department of Community Affairs,* p. 4, http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited Jan. 15, 2026).
[2] *Id.*
[3] Florida Building Commission Homepage, https://floridabuilding.org/c/default.aspx (last visited Jan. 15, 2026).
[4] *See* s. 553.72(1), F.S.
[5] The International Code Council (ICC) is an association that develops model codes and standards used in the design, building, and compliance process to "construct safe, sustainable, affordable and resilient structures." International Code Council, *About the ICC*, https://www.iccsafe.org/about/who-we-are/ (last visited Jan. 15, 2026).
[6] S. 553.73(7)(a), F.S.
[7] S. 553.72, F.S.
[8] Ss. 125.01(1)(bb), 125.56(1), and 553.80(1), F.S.
[9] S. 468.603, F.S.; S. 202 of the Eighth edition of the Florida Building Code (Building).
[10] Ss. 125.56(4)(a) and 553.79(1), F.S.
[11] Ss. 553.79(1), and 553.7921, F.S.

Any construction work that requires a building permit also requires plans and inspections to ensure the work complies with the Florida Building Code. The Florida Building Code requires certain building, electrical, plumbing, mechanical, and gas inspections. Construction work may not be done beyond a certain point until it passes an inspection. Generally speaking, a permit for construction work that passes the required inspections are considered completed or closed.[12]

Building Permit Fees

A local government may charge reasonable fees as set forth in a schedule of fees adopted by the enforcing agency for the issuance of a building permit.[13] Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Building Code.[14] Enforcing the Building Code includes the direct costs and reasonable indirect costs associated with training, review of building plans, building inspections, re-inspections, building permit processing, and fire inspections.[15] Local governments must post all building permit and inspection fee schedules on their website.[16]

Local governments are only allowed to collect building permit fees that are sufficient to cover their costs in enforcing the Building Code. When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances must be carried forward to future years for allowable activities or must be refunded at the discretion of the local government. A local government may not carry forward an amount exceeding the average of its operating budget, not including reserve amounts, for enforcing the Building Code for the previous 4 fiscal years.[17]

DBPR Surcharges

Current law requires all local governments to assess and collect a 1% surcharge on any building permit issued by their enforcement agency for the purpose of enforcing the Building Code. The local jurisdictions collect the assessment and remit the surcharge fees to DBPR to fund the activities of the Commission, DBPR's Building Code Compliance and Mitigation Program, and the Florida Fire Prevention Code informal interpretations.[18]

Current law also requires all local governments to assess and collect a separate 1.5% surcharge on any building permit issued by their enforcement agency for the purpose of enforcing the Building Code. The local governments collect the assessment and remit the surcharge fees to DBPR, where it is divided equally to fund the activities of the Building Code Administrators and Inspectors Board (BCAIB) and the Florida Homeowners' Construction Recovery Fund.[19]

Local government building departments are permitted to retain 10% of the amount of the surcharges they collect to fund participation by their agencies in the national and state building code adoption processes and to provide education related to enforcement of the Building Code.[20]

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[12] Section 110 of Eighth Edition of the Florida Building Code (Building).
[13] S. 553.80 F.S.
[14] *Id.*
[15] S. 553.80(7)(a)1., F.S.
[16] Ss.125.56 (4)(c) F.S., and 166.222(2), F.S.
[17] S. 553.80(7)(a), F.S.
[18] S. 553.721, F.S.
[19] S. 468.631, F.S.; The Florida Homeowners' Construction Recovery Fund is used to compensate homeowners who have suffered a covered financial loss at the hands of state-licensed general, building and residential contractors. Claims are filed with the DBPR, who reviews for completeness and statutory eligibility. The DBPR then presents the claim to the Construction Industry Licensing Board for review. s. 489.1401(2), F.S.
[20] Ss. 468.631, and 553.721, F.S.

Private Providers

Private providers and their duly authorized representatives are able to approve building plans and perform building code inspections as long as the plans approval and building inspections are within the scope of the provider's or representative's license.

A "private provider" is defined as a person licensed as a building official, engineer, or architect. Additionally, the term includes licensed building inspectors and plans examiners who perform inspections for additions and alterations that are limited to 1,000 square feet or less in residential buildings.[21]

An owner or contractor must notify a local government that the owner or contract hired a private provider to perform building code inspection services, including single-trade inspections. If an owner or contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must reduce the permit fee by the amount of cost savings realized by the local enforcement agency for not having to perform such services. Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services. The local jurisdiction may not charge fees for building inspections if the fee owner or contractor hires a private provider to perform such services; however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both.[22]

A local government may not charge a fee for building inspections when an owner or contractor uses a private provider but may charge a "reasonable administrative fee." A "reasonable administrative fee" must be based on the cost that is actually incurred by the local government, including the labor cost of the personnel providing the service, or the cost attributable to the local government for the clerical and supervisory assistance required, or both. [23]

Upon receipt of a building permit application and the required affidavit from the private provider, a building official has 20 business days to issue the permit or provide written notice of the plan deficiencies.[24] If the local building official does not provide written notice of plan deficiencies within the prescribed 20-day period, the permit application shall be deemed approved and must be issued on the next business day.[25]

Stop Work Order

The Florida Building Code authorizes a building official to issue a stop work order when the official finds any work regulated by the code being performed in a manner either contrary to the code or dangerous or unsafe. It requires that the order be in writing and given to the owner of the property, the owner's authorized agent, or the person performing the work, and shall state the reason for the order and the conditions under which the work may resume.[26]

State of Emergency

An emergency order can be declared by either the Governor for the state or a portion of the state[27] or on a local level by political subdivisions of the state.[28] An "emergency" is defined as any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property.[29]

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[21] S. 553.791(1)(n), F.S.
[22] S. 553.791(2)(b), F.S.
[23] *Id.*
[24] S. 553.791(7)(a), F.S.
[25] *Id.*
[26] S. 115 of the Eighth Edition of the Florida Building Code, Building.
[27] S. 205.36, F.S.
[28] S. 205.38, F.S.
[29] S. 205.34(4), F.S.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Miralia
Intergovernmental Affairs Subcommittee				
Commerce Committee				

A bill to be entitled

An act relating to building permits and inspections; amending s. 125.56, F.S.; providing for expiration of certain building permits issued by a county; amending s. 489.129, F.S.; providing that certain persons are not subject to discipline for performing a job without applicable permits and inspections if otherwise authorized by law; amending s. 553.73, F.S.; requiring the Florida Building Commission to modify the Florida Building Code to exempt from building permit requirements installation of certain walls or barriers; requiring the commission to modify the Florida Building Code to not require a permit for installation of certain retaining walls; amending s. 553.79, F.S.; providing for expiration of certain building permits issued by a local government; providing prohibitions for inspection fees; prohibiting a local government from requiring building permits for certain projects; providing an exception; requiring certain contractors to maintain certain records; amending s. 553.791, F.S.; revising and providing definitions; requiring certain services to be subject to an agreement, rather than a written contract; providing that such agreement does not need to be submitted as part of a permit application;

providing requirements for reduced permit fees; prohibiting a local jurisdiction from charging administrative fees or other additional fees; prohibiting local government entities and local building officials from requiring additional forms; prohibiting local government entities and local building officials from altering a form adopted by the commission; removing the requirement that a private provider's qualification statements or resumes be included in a certain notice; removing time restrictions for electing to use a private provider; requiring a certain affidavit be able to be submitted electronically; providing which forms and documents a local building official may and may not review; requiring written notice of incomplete forms to an applicant within a specified timeframe; revising the timeframes in which certain notices must be sent; providing that certain permits are deemed approved; providing requirements for a private provider's duly authorized representatives; removing provisions requiring a private provider to provide notice to the local building official to perform inspections; providing that local building officials are not responsible for the administration or supervision of services performed by a private provider; prohibiting

local building officials from failing certain inspections; revising the timeframe in which certain records must be provided; authorizing certain persons to sign certificates of compliance; providing requirements for local building officials who have actual knowledge that a private provider failed to perform an inspection; requiring certain entities to establish a system of registration; prohibiting certain administrative fees; providing that virtual inspections may not be prohibited; requiring certain notice before an audit; prohibiting certain entities from discouraging the use of private providers; amending s. 553.792, F.S.; requiring the commission to develop a uniform building permit application; requiring a local government to make certain decisions relating to certain building permits within a specified timeframe; specifying that certain permit applications are deemed approved and must be issued within a certain 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:

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

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

(4)

(d) A county that issues building permits may send a written notice of expiration, by e-mail or United States Postal Service, to the owner of the property and the contractor listed on the permit, no less than 30 days before a building permit is set to expire. The written notice must identify the permit that is set to expire and the date the permit will expire. A building permit issued by a county for a single-family dwelling expires 1 year after the issuance of the permit or the effective date of the next edition of the Florida Building Code, whichever is later.

Section 2. 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.

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 3. Paragraphs (h) and (i) are added to subsection (7) of section 553.73, Florida Statutes, to read:

553.73 Florida Building Code.—

(7)

(h)1. The commission shall modify the Florida Building Code to exempt from building permit requirements the installation of residential hurricane and flood protection walls or barriers that meet all of the following conditions:

a. The wall or barrier is nonhabitable and nonload-bearing.

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

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

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

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

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

(i) The commission shall modify the Florida Building Code to state that building permits for retaining walls installed on the residential property of a single-family or two-family dwelling or a townhouse are not required for each lot or parcel.

Section 4. Paragraphs (a), (c), and (d) of subsection (1) of section 553.79, Florida Statutes, are amended, and paragraph (g) is added to that subsection, to read:

553.79 Permits; applications; issuance; inspections.—

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

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

(d) A local enforcement agency must allow requests for inspections to be submitted electronically to the local enforcement agency's appropriate building department. Acceptable methods of electronic submission include, but are not limited to, e-mail or fill-in form available on the website of the

building department or through a third-party submission management software or application that can be downloaded on a mobile device. Requests for inspections may be submitted in a nonelectronic format, at the discretion of the building official. 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 may not require an owner of a single-family dwelling or the owner's contractor to obtain a building permit to perform any work that is valued at less than $7,500 on the single-family dwelling's lot. However, a local government may require a building permit for any electrical, plumbing, or structural work, not including the repair or replacement of exterior doors or windows, performed on a lot containing a single-family dwelling regardless of the value of the work.

2. A contractor who performs work that does not require a building permit under this paragraph must keep a written record of the work performed, the property address at which the work was performed, and the value of such work as proof that such work complies with subparagraph 1.

Section 5. Section 553.791, Florida Statutes, is amended to read:

553.791 Alternative plans review and inspection.—

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

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

(b) "Audit" means the process to confirm that the building code inspection services have been performed by the private provider, which is strictly limited to ~~including~~ ensuring that the required affidavit for the plan review has been properly completed and submitted with the permit documents and that the minimum mandatory inspections required under the Florida Building Code have been performed and properly recorded. The local building official may not replicate the plan review or inspection being performed by the private provider. The local building official may only perform a site visit in connection with the audit when the local building official has actual knowledge that the forms and documents submitted by the private provider are incomplete or incorrect, in which case the local building official must provide written notice to the private provider of the specific forms and documents that are incomplete or incorrect before performing a site visit~~, unless expressly authorized by this section~~.

(c) "Building" means any construction, erection, alteration, demolition, or improvement of, or addition to, any structure or site work for which permitting by a local enforcement agency is required.

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

(e) "Deliver" or "delivery" means any method of delivery used in conventional business or commercial practice, including delivery by electronic transmissions such as e-mail or any other form of electronic communication used to transmit information.

(f) "Duly authorized representative" means an agent of the private provider identified in the permit application who reviews plans or performs inspections as provided by this section and who is licensed as an engineer under chapter 471 or as an architect under chapter 481 or who holds a standard or provisional certificate under part XII of chapter 468. A duly authorized representative who only holds a provisional certificate under part XII of chapter 468 must be under the 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 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 during the construction of a building project or any portion of such project if the official determines that a condition of the building or portion thereof may constitute a hazard when the building is put into use following completion as long as the

condition cited is shown to be in violation of the building code or approved plans.

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

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

1. The plans reviewed by the private provider, inclusive of site plans by a licensed reviewer, or in the case of a single-trade plans review where a private provider uses an automated or software-based plans review system pursuant to subsection (6), the information reviewed by the automated or software-based plans review system to determine compliance with one or more applicable codes.

2. The affidavit from the private provider required under subsection (6).

3. Any applicable fees.

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

approvals required by law.

All permit applications must be able to be submitted electronically.

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

(n) "Private provider" means a person licensed as a building code administrator under part XII of chapter 468, as an engineer under chapter 471, or as an architect under chapter 481. For purposes of performing inspections under this section for additions and alterations that are limited to 2,500 ~~1,000~~ square feet or less to residential buildings, the term "private provider" also includes a person who holds a standard certificate under part XII of chapter 468.

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

(p) "Request for certificate of occupancy or certificate of completion" means a properly completed and executed application for:

1. A certificate of occupancy or certificate of completion.

2. A certificate of compliance from the private provider required under subsection (14) ~~(13)~~.

3. Any applicable fees.

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

All applications must be able to be submitted electronically.

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

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

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

(t) "System of registration" means the system used to verify compliance with the licensure and insurance requirements for a private provider firm under this chapter.

(2)(a) Notwithstanding any other law or local government ordinance or local policy, the fee owner of a building or structure, or the fee owner's contractor upon ~~written~~ authorization from the fee owner, may choose at any time to use a private provider to provide building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services. All such services shall be the subject of an agreement ~~a written contract~~ between the private provider, or the private provider's firm, and the fee owner or the fee owner's contractor, upon ~~written~~ authorization of the fee owner. The agreement is not required to be submitted as part of the permit application or as a condition for issuing a permit, and a local building official or local government entity may not request

such agreement or consent form as a condition for issuing a permit. The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner's contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies of the local enforcement agency, may require the fee owner or the fee owner's contractor to use a private provider to also provide required building inspections.

(b) If a fee ~~an~~ owner or the fee owner's contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must reduce the permit fee by the amount of cost savings realized by the local enforcement agency for not having to perform such services. Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services. The reduced permit fee must be based on the cost incurred by the local jurisdiction, including the labor cost of the personnel providing such services and the clerical and supervisory assistance required to comply with this section. The local jurisdiction may not charge any additional fees for building inspections or plans review if the fee owner or the fee owner's contractor hires a private provider to perform such services and the local jurisdiction may not charge punitive

administrative fees for working with a private provider~~;~~ ~~however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both~~.

(c) If a fee ~~an~~ owner or the fee owner's ~~a~~ contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must immediately provide equal access to all permitting and inspection documents and reports to the private provider, owner, and contractor if such access is provided by software that protects exempt records from disclosure.

(d) A local governmental entity or local building official may not require additional forms beyond those required at registration, except for the written notice required under subsection (4), if a fee owner or the fee owner's contractor uses a private provider.

(3) A private provider and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification under chapter 468, chapter 471, or chapter 481, including single-trade inspections. A private provider may not provide building code inspection

services pursuant to this section upon any building designed or constructed by the private provider or the private provider's firm.

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

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

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

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

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

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

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

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

(b) The plans comply with the applicable codes.

Such affidavit may bear a written or electronic signature and must have the ability to ~~may~~ be submitted electronically to the local building official.

(7)(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.

(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 days after receipt of a permit application and an affidavit from the private provider as required in subsection (6). 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 single-family or two-family dwelling, no more than 5 business days, after receipt of a permit application and the affidavit from the private provider required pursuant to subsection (6), the local building official shall issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections.~~ If the local building official does not provide such ~~a~~ written notice ~~of the plan deficiencies~~ within 10 days ~~the prescribed time period~~, the permit ~~application~~ must be deemed approved as a matter of law, and the permit must be issued by the local building official on the next business day.

(c) ~~(b)~~ If the local building official provides a written notice ~~of plan deficiencies~~ to the permit applicant of any incomplete forms or documents required under this section at the time of plan submission within the 10-day ~~prescribed~~ time period, such ~~the~~ time period is tolled pending resolution of the matter. To resolve the issues raised in the notice ~~plan~~

~~deficiencies~~, the permit applicant may elect to dispute the issues ~~deficiencies~~ pursuant to subsection (16) ~~(15)~~ or to submit revisions to correct the issues ~~deficiencies~~.

(d) ~~(c)~~ If the permit applicant submits revisions, the local building official has the remainder of the tolled 10-day time period plus 5 business days ~~after the date of resubmittal~~ to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified forms or documents ~~plan features~~ remain incomplete ~~in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections~~. Any subsequent review by the local building official is limited to the issues ~~deficiencies~~ cited in the original written notice. If the local building official does not provide the second written notice within the prescribed time period, the permit must be deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(e) ~~(d)~~ If the local building official provides a second written notice ~~of plan deficiencies~~ to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the issues raised in the second notice ~~deficiencies~~ pursuant to subsection (16) ~~(15)~~ or to submit additional revisions to correct the issues ~~deficiencies~~. For all revisions submitted after the first revision, the local building official has an additional 5 business days ~~after the date of~~

~~resubmittal~~ to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified forms or documents ~~plan features~~ remain incomplete. If the local building official does not provide the notice within the prescribed time period, the permit shall be deemed approved as a matter of law, and the local building official must issue the permit on the next business day ~~in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections~~.

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

(9) ~~A private provider performing required inspections under this section shall provide notice to the local building~~

~~official of the approximate date and time of any such inspection. The local building official may not prohibit the private provider from performing any inspection outside the local building official's normal operating hours, including after hours, weekends, or holidays. The local building official may visit the building site as often as necessary to verify that the private provider is performing all required inspections.~~ A deficiency notice must be posted by the private provider or~~,~~ 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 his or her representative before being concealed. ~~Reinspection or reaudit fees shall not be charged by~~ The local jurisdiction may not charge any fees related to the reinspection or any administrative matter related to the reinspection.

(10) A local building official 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. Verification of licensure and insurance requirements for a private provider firm's duly authorized representative is the responsibility of the private provider firm's management, and the local building

official may not verify compliance or store information relating to such verification ~~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)~~(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 (6), the local building official must issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections, within 10 business days after receipt of the permit application and affidavit. In such written notice, the local building official must provide with specificity the plan's deficiencies, the reasons the permit application failed, and the applicable codes being violated. If the local building official does not provide specific written notice to the permit applicant within the prescribed 10-day period, the permit application is deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(12)~~(11)~~ If equipment replacements and repairs must be performed in an emergency situation, subject to the emergency

permitting provisions of the Florida Building Code, a private provider may perform emergency inspection services ~~without first notifying the local building official pursuant to subsection (9)~~. A private provider must conduct the inspection within 3 business days after being contacted to conduct an emergency inspection and must submit the inspection report to the local building official within 1 day after the inspection is completed.

(13) ~~(12)~~ Upon completing the required inspections at each applicable phase of construction, the private provider shall record such inspections on a form provided by the commission ~~acceptable to the local building official~~. The form must bear the written or electronic signature of the private provider or the private provider's duly authorized representative. These inspection records must ~~shall~~ reflect those inspections required by the applicable codes of each phase of construction for which permitting by a local enforcement agency is required. The private provider, upon completion of the required inspection, shall post each completed inspection record, indicating pass or fail, and provide the record to the local building official within 4 ~~2~~ business days. Such inspection record may be electronically posted by the private provider, or the private provider may post such inspection record physically at the project site. The private provider may electronically transmit the record to the local building official. The local building

official may not fail any inspection that is performed by a private provider for not having the inspection records at the job site if the inspection records are transmitted within 4 business days. The local building official may waive the requirement to provide a record of each inspection within 4 ~~2~~ business days if the record is electronically posted or posted at the project site and all such inspection records are submitted with the certificate of compliance. Unless the records have been electronically posted and transmitted, records of all required and completed inspections shall be maintained at the building site at all times and made available for review by the local building official. The private provider shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.

(14) ~~(13)~~ Upon completion of all required inspections, the private provider shall prepare a certificate of compliance, on a form provided by the commission ~~acceptable to the local building official~~, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that, to the best of the private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes. The certificate of compliance may be signed by any qualified licensed individual employed full time by the private provider firm under whose authority the inspection was completed. The

statement required of the private provider shall be substantially in the following form and shall be signed and sealed by a private provider as established in subsection (1) or may be electronically transmitted to the local building official:

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

(15)(a) ~~(14)(a)~~ The local building official may only perform building inspections of construction that a private provider has determined to be compliant with the applicable codes if the local building official has actual knowledge that the private provider did not perform the required inspections. If the local building official has such knowledge, the local building official must provide to the private provider written notice of the facts and circumstances upon which the local building official relied for such actual knowledge before performing a required inspection. The local building official may review forms and documents required under this section for completeness only. No more than 10 business days, or if the permit is related to single-family or two-family dwellings then

no more than 2 business days, after receipt of a request for a certificate of occupancy or certificate of completion and the applicant's presentation of a certificate of compliance and approval of all other government approvals required by law, including the payment of all outstanding fees, the local building official shall issue the certificate of occupancy or certificate of completion or provide ~~a~~ notice to the applicant of any incomplete forms or documents required under this section ~~identifying the specific deficiencies, as well as the specific code chapters and sections~~.

(b) If the local building official does not provide notice of any incomplete forms or documents ~~the deficiencies~~ within the applicable time periods under paragraph (a), the request for a certificate of occupancy or certificate of completion is automatically granted and deemed issued as of the next business day. The local building official must provide the applicant with the written certificate of occupancy or certificate of completion within 2 ~~10~~ days after it is automatically granted and issued. To resolve any identified issues ~~deficiencies~~, the applicant may elect to dispute the issues ~~deficiencies~~ pursuant to subsection (16) ~~(15)~~ or to submit a corrected request for a certificate of occupancy or certificate of completion.

(16)~~(15)~~ If the local building official determines that any forms or documents required under this section are incomplete ~~the building construction or plans do not comply with~~

~~the applicable codes~~, the official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, if the official determines that the noncompliance poses an immediate threat to public safety and welfare, subject to the following:

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

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

(c) Notwithstanding any provision of this section, any decisions regarding the issuance of a building permit, certificate of occupancy, or certificate of completion may be reviewed by the local enforcement agency's board of appeals, if one exists. Any decision by the local enforcement agency's board of appeals, or local building official if there is no board of

appeals, may be appealed to the commission as provided by this chapter, which shall consider the matter at the commission's next scheduled meeting.

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

(18)(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 must ~~may~~ establish, for private providers and~~,~~ 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 (19) ~~(18)~~. The local building official may not charge administrative fees for the registration process for a private provider or for any updates to a private provider registration.

(c) 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, provided such orders are in strict compliance with the deficiency notice provisions of subsection (9).

(d) A local enforcement agency, local building official, or local government may not prohibit or limit the use of virtual inspections by private providers and private provider firms for any type of construction such providers or firms have a license to inspect.

(19) ~~(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 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.

(20) ~~(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. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of a private provider's performance of building code inspection services shall be conducted by the applicable professional board.

(21) ~~(20)~~ A local building code enforcement agency may not audit the performance of building code inspection services by private providers operating within the local jurisdiction until the agency has created standard operating ~~private provider audit~~ procedures for the agency's internal inspection and review staff, which includes, at a minimum, the private provider audit

purpose and scope, private provider audit criteria, an explanation of private provider audit processes and objections, and detailed findings of areas of noncompliance. Such private provider audit procedures must be publicly available online, and a printed version must be readily accessible in agency buildings. The private provider audit results of staff for the prior two quarters also must be publicly available. The agency's audit processes must adhere to the agency's posted standard operating audit procedures. The same private provider or private provider firm may not be audited more than four times in a year unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare, which must be communicated in writing to the private provider or private provider firm. The private provider or private provider firm must be given notice of each audit to be 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.

(22) ~~(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 building official, and building code enforcement personnel may not prohibit or discourage the use of a private provider or a private provider firm.

(23)~~(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 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 6. Section 553.792, Florida Statutes, is amended to read:

553.792 Building permit application to local government.—

(1) The Florida Building Commission shall develop a uniform building permit application for mandatory use by local governments. The application must include a checklist by project type for permitted work.

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

1. Within 5 business days after receiving a complete and sufficient application, for an applicant using a local

government plans reviewer to obtain the following building permits for an existing single-family residential dwelling if the value of the work is less than $15,000: structural, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing.

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

3.~~2.~~ 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 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 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.

(b) A signed and sealed permit application and an attestation by an architect licensed under chapter 481 or an

engineer licensed under chapter 471 that the plans in the permit application comply with the Florida Building Code for the construction or renovation of a single-family dwelling located in a jurisdiction for which a state of emergency was issued within the 24 months before the submission of the application is deemed approved. The local government shall issue such permit within 2 days after approval.

(c) ~~(b)~~ A local government must meet the timeframes set forth in this section for reviewing building permit applications unless the timeframes set by local ordinance are more stringent than those prescribed in this section.

(d) ~~(c)~~ After an applicant submits an application to the local government, the local government must provide written notice to the applicant within 5 business days after receipt of the application advising the applicant what information, if any, is needed to deem or determine that the application is properly completed in compliance with the filing requirements published by the local government. If the local government does not provide timely written notice that the applicant has not submitted the properly completed application, the application is automatically deemed or determined to be properly completed and accepted.

(e) ~~(d)~~ A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders

required by law to be expedited.

(f) ~~(e)~~ If a local government fails to meet a deadline under this subsection, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline, unless the parties agree in writing to a reasonable extension of time, the delay is caused by the applicant, or the delay is attributable to a force majeure or other extraordinary circumstances. Each 10-percent reduction shall be based on the original amount of the building permit fee, unless the parties agree to an extension of time.

(g) ~~(f)~~ A local enforcement agency does not have to reduce the building permit fee if it provides written notice to the applicant by e-mail or United States Postal Service within the respective timeframes in paragraph (a) which specifically states the reasons the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances. The written notice must also state that the applicant has 10 business days after receiving the written notice to submit revisions to correct the permit application and that failure to correct the application within 10 business days will result in a denial of the application.

(h) ~~(g)~~ If the applicant submits revisions within 10 business days after receiving the written notice, the local enforcement agency has 10 business days after receiving such revisions to approve or deny the building permit unless the

applicant agrees to a longer period in writing. If the local enforcement agency fails to issue or deny the building permit within 10 business days after receiving the revisions, it must reduce the building permit fee by 20 percent for each business day that it fails to meet the deadline unless the applicant agrees to a longer period in writing.

(3)~~(2)~~ If any building permit fees are refunded under this section, the surcharges provided in s. 468.631 or s. 553.721 must be recalculated based on the amount of the building permit fees after the refund.

Section 7. 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 8. This act shall take effect July 1, 2026.

INDUSTRIES & PROFESSIONAL ACTIVITIES SUBCOMMITTEE

HB 803 by Rep. Trabulsy
Building Permits and Inspections

AMENDMENT SUMMARY
January 20, 2026

The amendment:

- Requires contractors to retain documents related to certain construction projects completed without a permit for a minimum of five years.
- Moves language related to flood protection walls and barriers, and retaining walls to the correct section of Florida Statutes. Also, clarifies that local governments may not require building permits for temporary residential hurricane and flood protection walls.
- Removes the notice requirement before a stop work order can be issued due to an immediate threat to public safety and welfare.
- Removes overly broad language that prohibited requiring a permit after a state of emergency for two years.
- Moves the provision related to the Florida Building Commission creating a uniform application system to the correct section of Florida Statutes, clarifies that the commission has rulemaking authority, sets a date for completion, and specifies that both residential and commercial applications be created.
- Clarifies language related to private provider service contracts.
- Clarifies definitions, and makes technical and clarifying edits throughout.

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	_____

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Trabulsy offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

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

(4)

(d) A county that issues building permits may send a written notice of expiration, by e-mail or United States Postal Service, to the owner of the property and the contractor listed on the permit, no less than 30 days before a building permit is

set to expire. The written notice must identify the permit that is set to expire and the date the permit will expire. A building permit issued by a county for a single-family dwelling expires 1 year after the issuance of the permit or on the effective date of the next edition of the Florida Building Code, whichever is later.

Section 2. 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.

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 3. **Section 553.79(1), Florida Statutes, is amended to read:**

1)(a) Unless otherwise provided by law, after the effective date of the Florida Building Code adopted as herein provided, it shall be unlawful for any person, firm, corporation, or governmental entity to construct, erect, alter, modify, repair, or demolish any building within this state without first obtaining a permit therefor from the appropriate enforcing agency or from such persons as may, by appropriate resolution or

regulation of the authorized state or local enforcing agency, be delegated authority to issue such permits, upon the payment of such reasonable fees adopted by the enforcing agency. The enforcing agency is empowered to revoke any such permit upon a determination by the agency that the construction, erection, alteration, modification, repair, or demolition of the building for which the permit was issued is in violation of, or not in conformity with, the provisions of the 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 must post and update the status of every received application on its website until the issuance of the building permit. Local enforcement agencies must allow applicants to submit completed applications, including payments, attachments, drawings, or other requirements or parts of the ~~completed~~ permit application, ~~must be able to be submitted~~ electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in Portable Document Format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Building officials, at their discretion, may also accept completed ~~Completed~~ applications, including payments, attachments, drawings, or other requirements or parts of the completed permit application, ~~may also be submitted~~ in person in a nonelectronic format~~, at the discretion of the building official~~.

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

(d) A local enforcement agency must allow requests for inspections to be submitted electronically to the local enforcement agency's appropriate building department. Acceptable methods of electronic submission include, but are not limited to, e-mail or fill-in form available on the website of the building department or through a third-party submission management software or application that can be downloaded on a mobile device. Requests for inspections may be submitted in a nonelectronic format, at the discretion of the building official.

(e) A local enforcement agency must post its procedures for processing, reviewing, and approving submitted building permit applications on its website.

(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 may not require an owner of a single-family dwelling or the owner's contractor to obtain a building permit to perform any work that is valued at less than $7,500 on the single-family dwelling's lot. However, a local government may require a building permit for any electrical, plumbing, or structural work, not including the repair or replacement of exterior doors or windows, performed on a lot containing a single-family dwelling regardless of the value of the work.

2. A contractor who performs work that does not require a building permit under this paragraph must keep for a minimum of five years a written record of the work performed, the property address at which the work was performed, and the value of such work as proof that such work complies with subparagraph 1.

(h) 1. A local government that issues building permits may not require an owner of a single-family dwelling or the owner's contractor to obtain a building permit for the installation of

temporary residential hurricane and flood protection walls or barriers that meet all of the following conditions:

a. The wall or barrier is nonhabitable and nonload-bearing.

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

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

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

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

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

(i) A local government that issues building permits may not require a building permit for retaining walls installed on the residential property of a single-family or two-family dwelling or a townhouse for each lot or parcel.

Section 4. Section 553.791, Florida Statutes, is amended to read:

553.791 Alternative plans review and inspection.—

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

(a) "Applicable codes" means the Florida Building Code and any local technical amendments to the Florida Building Code but

does not include the applicable minimum fire prevention and firesafety codes adopted pursuant to chapter 633.

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

(c) "Building" means any construction, erection, alteration, demolition, or improvement of, or addition to, any structure or site work for which permitting by a local enforcement agency is required.

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

(e) "Deliver" or "delivery" means any method of delivery used in conventional business or commercial practice, including delivery by electronic transmissions <u>including e-mail or submission through an electronic fill-in form available on the building department's website or through a third-party submission management software</u>.

(f) "Duly authorized representative" means an agent of the private provider identified in the permit application who reviews plans or performs inspections as provided by this section and who is licensed as an engineer under chapter 471 or as an architect under chapter 481 or who holds a standard or provisional certificate under part XII of chapter 468. A duly authorized representative who only holds a provisional certificate under part XII of chapter 468 must be under the 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 during the construction of a building project or any portion of such project if the official determines that a condition of the building or portion thereof may constitute a hazard when the building is put into use following completion as long as the condition cited is shown to be in violation of the building code or approved plans.

(k) "Local building official" means the individual within the governing jurisdiction responsible for direct regulatory administration or supervision of plans review, enforcement, and inspection of any construction, erection, alteration, demolition, or substantial improvement of, or addition to, any

structure for which permitting is required to indicate compliance with applicable codes and includes any duly authorized designee of such person.

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

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

2. The affidavit from the private provider required under subsection (6).

3. Any applicable fees.

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

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

(n) "Private provider" means a person licensed as a building code administrator under part XII of chapter 468, as an engineer under chapter 471, or as an architect under chapter

481. For purposes of performing inspections under this section for additions and alterations that are limited to 1,000 square feet or less to residential buildings, the term "private provider" also includes a person who holds a standard certificate under part XII of chapter 468.

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

(p) "Request for certificate of occupancy or certificate of completion" means a properly completed and executed application for:

1. A certificate of occupancy or certificate of completion.

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

3. Any applicable fees.

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

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

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

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

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

(2)(a) Notwithstanding any other law or local government ordinance or local policy, the fee owner of a building or structure, or the fee owner's contractor upon written

authorization from the fee owner, may choose to use a private provider to provide plans review or building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services. All such services shall be the subject of a ~~written~~ contract between the private provider, or the private provider's firm, and the fee owner or the fee owner's contractor, upon written authorization of the fee owner. The local enforcement agency may not require the contract be provided as part of the permit application or as a condition for issuing a permit. The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner's contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies of the local enforcement agency, may require the fee owner or the fee owner's contractor to use a private provider to also provide required building inspections.

(b) If a fee ~~an~~ owner or the fee owner's contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction must reduce the permit fee by the amount of cost savings realized by the local enforcement agency for not having to perform such services. Such reduction may be calculated on a flat fee or

percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services. The permit fee must be based on the cost incurred by the local jurisdiction, including the labor cost of the personnel providing such services and the clerical and supervisory assistance required to comply with this section. The local jurisdiction may not charge fees for plans review or building inspections if the fee owner or the fee owner's contractor hires a private provider to perform such services; ~~however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both.~~ The local enforcement agency may not charge punitive administrative fees when an owner has chosen to work with a private provider.

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

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

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

(4) A local enforcement agency must create a registration system for private providers and private provider firms working in their jurisdiction. Local enforcement agencies must have a method to register and update registration electronically. Local enforcement agencies may not charge administrative fees for registration or registration updates. Private provider firms must provide contact information and verify compliance with the licensure requirements of (1)(n) and the insurance requirements of (21). Private provider firms working in the jurisdiction must register with the local enforcement agency before contracting to provide services in the jurisdiction. Private provider firms

must update their registration within 5 business days of any change to contact information, licensure, or insurance coverage.

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

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

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

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

I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more 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 in a timely manner or the work subject to inspection is related to a single-trade inspection for a single-family or two-family dwelling~~, the fee owner or the fee owner's contractor may elect to use a private provider to provide inspection services for a single-trade inspection for a single-family or two-family dwelling by notifying the local building official of the owner's or contractor's intention to do so ~~by 2 p.m. local time, 2 business days~~ before the next scheduled inspection using the notice provided for in paragraphs (5) ~~(4)~~(a)-(c).

(7) ~~(6)~~ A private provider performing plans review under this section shall review the plans to determine compliance with the applicable codes. For single-trade plans reviews, a private provider may use an automated or software-based plans review system designed to determine compliance with one or more applicable codes, including, but not limited to, the National Electrical Code and the Florida Building Code. Upon determining

that the plans reviewed comply with the applicable codes, the private provider shall prepare an affidavit or affidavits certifying, under oath, that the following is true and correct to the best of the private provider's knowledge and belief:

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

(b) The plans comply with the applicable codes.

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

(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 days after receipt of a permit application and an affidavit from the private provider as required in subsection (6). 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~~

~~single-family or two-family dwelling, no more than 5 business days, after receipt of a permit application and the affidavit from the private provider required pursuant to subsection (6), the local building official shall issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections.~~ If the local building official does not provide such ~~a~~ written notice ~~of the plan deficiencies~~ within 10 days ~~the prescribed time period~~, the permit ~~application~~ must be deemed approved as a matter of law, and the permit must be issued by the local building official on the next business day.

(c) ~~(b)~~ If the local building official provides a written notice ~~of plan deficiencies~~ to the permit applicant of any incomplete forms or documents required under this section at the time of plan submission within the 10-day ~~prescribed~~ time period, such ~~the~~ time period is tolled pending resolution of the matter. To resolve the issues raised in the notice ~~plan deficiencies~~, the permit applicant may elect to dispute the issues ~~deficiencies~~ pursuant to subsection (16) ~~(15)~~ or to submit revisions to correct the issues ~~deficiencies~~.

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

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

(e) ~~(d)~~ If the local building official provides a second written notice ~~of plan deficiencies~~ to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the issues raised in the second notice ~~deficiencies~~ pursuant to subsection (16) ~~(15)~~ or to submit additional revisions to correct the issues ~~deficiencies~~. For all revisions submitted after the first revision, the local building official has an additional 5 business days ~~after the date of resubmittal~~ to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified forms or documents ~~plan features~~ remain incomplete. If the local building official does not provide the notice within the prescribed time period, the permit shall be deemed approved as a matter of law, and the local building official must issue the permit on the next business day ~~in~~

~~noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections~~.

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

(10)~~(9)~~ ~~A private provider performing required inspections under this section shall provide notice to the local building official of the approximate date and time of any such inspection.~~ The local building official may not prohibit the private provider from performing any inspection outside the local building official's normal operating hours, including after hours, weekends, or holidays. ~~The local building official may visit the building site as often as necessary to verify that the private provider is performing all required inspections.~~ A 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 representative of the private provider before being concealed. The ~~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 a fee owner's contractor. A local enforcement agency may not require additional verification of licensure or insurance 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 (6), the local building official must issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do

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

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

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

the written or electronic signature of the private provider or the provider's duly authorized representative. These inspection records must ~~shall~~ reflect those inspections required by the applicable codes of each phase of construction for which permitting by a local enforcement agency is required. The private provider, upon completion of the required inspection, shall post each completed inspection record, indicating pass or fail, and provide the record to the local building official within 4 ~~2~~ business days. Such inspection record may be electronically posted by the private provider, or the private provider may post such inspection record physically at the project site. The private provider may electronically transmit the record to the local building official. The local building official may waive the requirement to provide a record of each inspection within 4 ~~2~~ business days if the record is electronically posted or posted at the project site and all such inspection records are submitted with the certificate of compliance. Unless the records have been electronically posted and transmitted, records of all required and completed inspections shall be maintained at the building site at all times and made available for review by the local building official. A local building official may not fail any inspection performed by a private provider due to the inspection records not being at the job site if the inspection records have been electronically transmitted to the local building official within

the 4 business day requirement. The private provider shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.

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

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

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

(17)~~(15)~~ If the local building official determines that the building construction or plans do not comply with the

applicable codes, the official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, if the official determines that the noncompliance poses an immediate threat to public safety and welfare, subject to the following:

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

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

(c) Notwithstanding any provision of this section, any decisions regarding the issuance of a building permit, certificate of occupancy, or certificate of completion may be reviewed by the local enforcement agency's board of appeals, if one exists. Any decision by the local enforcement agency's board of appeals, or local building official if there is no board of

appeals, may be appealed to the commission as provided by this chapter, which shall consider the matter at the commission's next scheduled meeting.

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

(19) ~~(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) ~~(c)~~ 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 the virtual inspections are not prohibited by the applicable codes.

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

(22) ~~(20)~~ A local building code enforcement agency may not audit the performance of building code inspection services by private providers operating within the local jurisdiction until the agency has created standard operating private provider audit procedures for the agency's internal inspection and review staff, which includes, at a minimum, the private provider audit purpose and scope, private provider audit criteria, an explanation of private provider audit processes and objections, and detailed findings of areas of noncompliance. Such private provider audit procedures must be publicly available online, and a printed version must be readily accessible in agency

buildings. The private provider audit results of staff for the prior two quarters also must be publicly available. The agency's audit processes must adhere to the agency's posted standard operating audit procedures. The same private provider or private provider firm may not be audited more than four times in a year unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare, which must be communicated in writing to the private provider or private provider firm. The private provider or private provider firm must be given notice of each audit to be 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. A 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, private provider firm or employ a licensed building inspector, as described in s. 468.603(5)(a) or a person who holds the same licensure as or certificate 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 5. Paragraph (a) of subsection (1) of section 553.792, Florida Statutes, is amended to read:

553.792 Building permit application to local government.—

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

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

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

3.~~2.~~ 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 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 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 6. Subsection (1) of section 553.77, Florida Statutes, is amended to read:

553.77 Specific powers of the commission.—

(1) The commission shall:

(a) Adopt and update the Florida Building Code or amendments thereto, pursuant to ss. 120.536(1) and 120.54.

(b) By July 1, 2027, adopt pursuant to ss. 120.536(1) and 120.54 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.

(c) ~~(b)~~ Make a continual study of the operation of the Florida Building Code and other laws relating to the design, construction, erection, alteration, modification, repair, or demolition of public or private buildings, structures, and facilities, including manufactured buildings, and code enforcement, to ascertain their effect upon the cost of building construction and determine the effectiveness of their provisions. Upon updating the Florida Building Code every 3 years, the commission shall review existing provisions of law and make recommendations to the Legislature for the next regular session of the Legislature regarding provisions of law that should be revised or repealed to ensure consistency with the Florida Building Code at the point the update goes into effect. State agencies and local jurisdictions shall provide such information as requested by the commission for evaluation of and recommendations for improving the effectiveness of the system of building code laws for reporting to the Legislature annually. Failure to comply with this or other requirements of this act must be reported to the Legislature for further action. Any proposed legislation providing for the revision or repeal of

existing laws and rules relating to technical requirements applicable to building structures or facilities should expressly state that such legislation is not intended to imply any repeal or sunset of existing general or special laws governing any special district that are not specifically identified in the legislation.

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

(e) ~~(d)~~ Make recommendations to, and provide assistance upon the request of, the Florida Commission on Human Relations regarding rules relating to accessibility for persons with disabilities.

(f) ~~(e)~~ Participate with the Florida Fire Code Advisory Council created under s. 633.204, to provide assistance and recommendations relating to firesafety code interpretations. The administrative staff of the commission shall attend meetings of the Florida Fire Code Advisory Council and coordinate efforts to provide consistency between the Florida Building Code and the Florida Fire Prevention Code and the Life Safety Code.

(g) ~~(f)~~ Determine the types of products which may be approved by the commission for statewide use and shall provide for the evaluation and approval of such products, materials, devices, and method of construction for statewide use. The commission may prescribe by rule a schedule of reasonable fees to provide for evaluation and approval of products, materials, devices, and methods of construction. Evaluation and approval shall be by action of the commission or delegated pursuant to s. 553.842. This paragraph does not apply to products approved by the State Fire Marshal.

(h) ~~(g)~~ Appoint experts, consultants, technical advisers, and advisory committees for assistance and recommendations relating to the major areas addressed in the Florida Building Code.

(i) ~~(h)~~ Establish and maintain a mutual aid program, organized through the department, to provide an efficient supply of various levels of code enforcement personnel, design professionals, commercial property owners, and construction industry individuals, to assist in the rebuilding effort in an area which has been hit with disaster. The program shall include provisions for:

1. Minimum postdisaster structural, electrical, and plumbing inspections and procedures.

2. Emergency permitting and inspection procedures.

3. Establishing contact with emergency management personnel and other state and federal agencies.

(j) ~~(i)~~ Maintain a list of interested parties for noticing rulemaking workshops and hearings, disseminating information on code adoption, revisions, amendments, and all other such actions which are the responsibility of the commission.

(k) ~~(j)~~ Coordinate with the state and local governments, industry, and other affected stakeholders in the examination of legislative provisions and make recommendations to fulfill the responsibility to develop a consistent, single code.

(l) ~~(k)~~ Provide technical assistance to local building departments in order to implement policies, procedures, and practices which would produce the most cost-effective property insurance ratings.

(m) ~~(l)~~ Develop recommendations for local governments to use when pursuing partial or full privatization of building department functions. The recommendations shall include, but not be limited to, provisions relating to equivalency of service, conflict of interest, requirements for competency, liability, insurance, and long-term accountability.

(n) ~~(m)~~ Develop recommendations that increase residential and commercial recycling and composting and strongly encourage the use of recyclable materials and the recycling of construction and demolition debris.

Section 7. 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 8. This act shall take effect July 1, 2026.

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

Remove everything before the enacting clause and insert:
An act relating to building permits and inspections; amending s. 125.56, F.S.; providing for expiration of certain building permits issued by a county; amending s. 489.129, F.S.; providing that certain persons are not subject to discipline for performing a job without applicable permits and inspections if otherwise authorized by law; amending s. 553.79, F.S.; providing

for expiration of certain building permits issued by a local government; providing prohibitions for inspection fees; prohibiting a local government from requiring building permits for certain projects; providing an exception; requiring certain contractors to maintain certain records; amending s. 553.791, F.S.; revising and providing definitions; requiring certain services to be subject to an agreement, rather than a written contract; providing that such agreement does not need to be submitted as part of a permit application; providing requirements for reduced permit fees; prohibiting a local jurisdiction from charging administrative fees or other additional fees; requiring that local enforcement agencies create a registration system for private providers and private provider firms; prohibiting local government entities and local building officials from requiring additional forms; prohibiting local government entities and local building officials from altering a form adopted by the commission; removing the requirement that a private provider's qualification statements or resumes be included in a certain notice; removing time restrictions for electing to use a private provider; requiring a certain affidavit be able to be submitted electronically; providing that the timeline for review

may not be extended; providing that certain permits are deemed approved; providing that local building officials are not responsible for the administration or supervision of services performed by a private provider; prohibiting local building officials from failing certain inspections; revising the timeframe in which certain records must be provided; authorizing certain persons to sign certificates of compliance; providing requirements for local building officials who have reasonable suspicion 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; amending s. 553.792, F.S.; amending s. 553.77, F.S.; requiring the commission to develop a uniform building permit application; 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.

HB 805

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 805	**COMPANION BILL:** SB 796 (Bradley)
TITLE: Veterinary Medicine	**LINKED BILLS:** None
SPONSOR(S): Melo	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Commerce

SUMMARY

Effect of the Bill:
The bill amends Florida's veterinary medical practice act (practice act), creating new levels of veterinary professionals ("veterinary professional associate," "veterinary technician" and "veterinarian technologist") that must be registered with the state and allowed to work under a licensed veterinarian. The bill defines the new positions, specifies a formal registration process, provides prohibitions and certain duties and actions, allows them to administer certain vaccines, revises certain exemptions in the practice act to include the newly created terms, and revises the composition of the Board of Veterinary Medicine (Board) adding two members who must be veterinary professional associates, veterinarian technicians or veterinarian technologists.

The bill also increases the duration of prescriptions based solely on a veterinary telehealth evaluation, allowing up to 6 months for flea and tick medications and up to 30 days for all other medications.

Fiscal or Economic Impact:
The bill may have an indeterminate fiscal impact on state government and a positive fiscal impact on the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill names the act the "Veterinary Workforce Innovation Act." (Section 1)

Legislative Findings

The bill revises legislative findings in the practice act, providing:

> "the practice of educated, trained, and experienced veterinary professional associates, veterinary technicians, and veterinary technologists will increase consumer access to high-quality veterinary medical services at a reasonable cost to consumers, while also increasing the efficiency of the practice of veterinary medicine in this state." (Section 2)

Definitions

The bill provides the following definitions:

- "**Veterinary professional associate**" means an individual who has graduated with a master's degree or the equivalent in veterinary clinical care from an accredited institution and who meets the requirements to be registered by the department.
- "**Veterinary technician" or "veterinary technologist**" means an individual who has graduated from an accredited veterinary technology program and who meets the requirements to be registered by the department. The term also includes a veterinary nurse.

- "**Veterinary technology**" includes, with respect to animals, the provision of medical care, monitoring, and treatment of a veterinary patient by a person who is a registered veterinary technician or technologist working under supervision of a licensed veterinarian as authorized under this chapter. The term includes veterinary nursing. (Section 3)

Veterinary Telehealth Prescriptions

The bill increases the timeframe for prescriptions via veterinary telehealth from:

- 1 month to 6 months for flea and tick medication; and
- 4 days to 30 days for other animal drugs. (Section 4)

Exemptions

The bill includes students who are in a program of veterinary technology in the practice act exemption when working as a preceptor required for graduation from an accredited school or college of veterinary medicine. (Section 5)

The bill includes registered veterinary professional associates, technicians, and technologists to the following practice act exemptions:

- When certain out of state persons or employees are temporarily administering to the ills or injuries of their own animals.
- When administering medication or rendering auxiliary or supporting assistance under the responsible supervision of a licensed veterinarian. (Section 5)

Board

The bill increases the composition of the Board from seven members to nine members requiring the two new members to be either a "veterinary professional associate, veterinary technician, or veterinarian technologist. The bill specifies the two new members must have been employed as such for at least 5 years immediately preceding the date of appointment to the Board. (Section 6)

Registration

The bill:

- Authorizes veterinary professional associates, veterinary technicians, and veterinary technologists to apply to the Department of Business and Professional Regulation (DBPR) for registration by submitting a form prescribed by the Board.
- Requires DBPR to consider each qualified veterinary professional associate, veterinary technician, or veterinary technologist, or applicant who it verifies has submitted a completed application and meets the applicable requirements.
- Requires DBPR to issue a certificate of registration to each veterinary professional associate, veterinary technician, or veterinary technologist applicant who it verifies has graduated from the relevant accredited program and received a passing score on the relevant professional national competency examination approved by the Board.
- Requires DBPR to issue a certificate of registration to a veterinary technician who does not meet the requirements, if the applicant:
    - Submits a notarized document from an employer who is a licensed veterinarian certifying that as of January 1, 2000, the applicant possesses 5 or more years of practical experience performing the tasks of a veterinary technician in this state;
    - Provides proof of graduation from a veterinary technology program accredited by the American Veterinary Medical Association Committee on Veterinary Technician Education and Activities before January 1, 2000; and
    - Is in good standing with the appropriate Florida certifying body, including the Florida Veterinary Technician Association or the Florida Veterinary Medical Association, is eligible to apply for registration.
- Requires DBPR to make the list of registrants available to the public on its website.

- Allows DBPR to suspend the registration of any veterinary professional associate, veterinary technician, or veterinary technologist who the board determines has caused serious harm to an animal due to negligence, incompetence, or misconduct related to their duties and in a manner inconsistent with the supervising veterinarian's specific direction.
    - Allows the registrant to complete remedial training or education directed by the board.
- Allows DBPR to rescind the registration of any veterinary professional associate, veterinary technician, or veterinary technologist who is convicted of animal cruelty or animal fighting under s. 828.12, F.S., or s. 828.122, F.S. (Section 7)

Prohibitions

The bill prohibits individuals from:

- Holding themselves out as a registered veterinary professional associate, veterinary technician, or veterinary technologist;
- Using the abbreviation RVT, RVTg, VT, VPA, or MVCC; or
- In any other way representing themselves as a veterinary professional associate, veterinary technician, or veterinary technologist unless they have a valid certificate of registration from DBPR. (Section 7)

Duties and Actions of Registered Technicians or Technologists

The bill allows registered veterinary technicians and veterinary technologists to perform any duty or action in which they are competent and have the necessary training, current knowledge, and expertise to provide, so long as the duties or actions are delegated under the responsible supervision, as defined in s. 474.202, F.S., of a licensed veterinarian or a registered veterinary professional associate. (Section 7)

The bill allows a veterinary technician or a veterinary technologist to perform all of the following actions under the responsible supervision of a licensed veterinarian or a veterinary professional associate as delegated by a licensed veterinarian:

- Administering medical drugs as defined under ch. 465, F.S., prescribed for a patient by the supervising veterinarian or provide treatments as directed;
- Preparing, recording, and administering vaccinations and microchips; or
- Performing humane euthanasia of animals and prepare, log, and administer controlled substances for the purpose of analgesia, anesthesia, or humane euthanasia, as delegated by a licensed veterinarian and performed under responsible supervision. (Section 7)

The bill prohibits a registered veterinary technician or a veterinary technologist from performing the following actions:

- Making or providing any diagnosis or prognosis;
- Performing any surgery, except that a registered veterinary technician or registered veterinary technologist may perform suturing or stapling of skin lacerations, gingival incisions, or existing surgical incisions or tooth extraction procedures; or
- Prescribing any medical drugs as defined in ch. 465, F.S., or controlled substances as defined in ch. 893, F.S. (Section 7)

Duties and Actions of a Registered Veterinary Professional Associate

The bill allows registered veterinary professional associates to engage in the following as delegated under the responsible supervision of a licensed veterinarian, unless prohibited by other state or federal law, to the extent that he or she is competent and has the necessary training, current knowledge, and experience to provide such care:

- The practice of veterinary medicine as defined in s. 474.202, F.S.
- Veterinary medicine as defined in s. 474.202, F.S. (Section 7)

The bill prohibits registered veterinary professional associates from doing any of the following:

- Prescribing a controlled substance listed in s. 893.03, F.S.,

  - With the exception that a registered veterinary professional associate may perform humane euthanasia and prepare, log, and administer controlled substances for the purpose of analgesia, anesthesia, or humane euthanasia, as delegated by a licensed veterinarian and performed under responsible supervision.
- Perform a surgical procedure,
  - With the exception that a veterinary professional associate may perform an orchiectomy,[1] veterinary dental surgery, or veterinary suturing or stapling of skin lacerations, gingival incisions, or existing surgical incisions. (Section 7)

Administration of Medication

The bill requires unregistered individuals to administer medication prescribed by the supervising veterinarian only if they are under the immediate supervision of a:

- Licensed veterinarian; or
- Veterinary professional associate, veterinary technician, or veterinarian technologist who is acting under the responsible supervision of a licensed veterinarian, as provided. (Section 7)

The bill does not prevent an individual from rendering lifesaving aid and treatment if the animal is in a life-threatening condition. (Section 7)

Delegation and Liability

The bill allows, unless otherwise prohibited under state or federal law, a supervising licensed veterinarian to delegate to a registered veterinary professional associate, veterinary technician, or veterinary technologist, the responsibility of supervising a task or tasks performed by a veterinary assistant. (Section 7)

The bill makes a supervising licensed veterinarian liable for any acts or omissions of the registered veterinary professional associate, veterinary technician, or veterinarian technologist acting under the licensed veterinarian's supervision and control. (Section 7)

Rabies Vaccinations

The bill allows registered veterinary professional associates, veterinary technicians, or veterinarian technologists to administer rabies vaccinations. (Section 8)

The effective date of the bill is January 1, 2027. (Section 9)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

Indeterminate. Creating and administering the registration program may have an indeterminate fiscal impact on DBPR. It is unknown how many people will apply for a certificate of registration.

PRIVATE SECTOR:

Indeterminate. The bill may have in indeterminate positive economic impact on the private sector. The bill will allow a new class of midlevel practitioners in veterinary medicine. This may lead to additional jobs, and cost savings related to improved veterinary care.

[1] This procedure is for reproductive sterilization (spay/neuter). It is used to reduce the incidence of the most common canine prostatic diseases, tumors, and unwanted behaviors. Today's Veterinary Practice, *Update on Orchiectomy*, https://todaysveterinarypractice.com/wp-content/uploads/sites/4/2022/10/TVP-2022-1112_Orchiectomy.pdf (last visited January 9, 2026).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Practice of Veterinary Medicine

The Board of Veterinary Medicine (Board) in the DBPR implements the provisions of ch. 474, F.S., relating to veterinary medical practice (practice act). The purpose of the practice act is to ensure that every veterinarian practicing in this state meets minimum requirements for safe practices to protect public health and safety.[2]

Legislative Findings

The practice act provides legislative findings that:

> "the practice of veterinary medicine is potentially dangerous to the public health and safety if conducted by incompetent and unlicensed practitioners. The legislative purpose in enacting this chapter is to ensure that every veterinarian practicing in this state meet minimum requirements for safe practice. It is the legislative intent that veterinarians who are not normally competent or who otherwise present a danger to the public shall be disciplined or prohibited from practicing in this state."[3]

Definitions

A "veterinarian" is a health care practitioner licensed by the Board to engage in the practice of veterinary medicine in Florida[4] and they are subject to disciplinary action from the Board for various violations of the practice act.[5]

The practice of "veterinary medicine" is the diagnosis of medical conditions of animals, and the prescribing or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.[6]

Veterinary medicine includes, with respect to animals:[7]

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine); and
- Other branches or specialties of veterinary medicine.

Board

The board consists of seven members that are appointed by the Governor and confirmed by the Senate.[8] Five members of the board must be licensed veterinarians, and two members of the board must be laypersons who are not and have never been veterinarians or members of any closely related profession or occupation.[9]

The board is required, like all boards regulated under chapter 455 of Florida Statutes, to meet at least once annually and may meet as often as is necessary.[10] There is currently one vacancy on the board.[11]

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[2] S. 474.201, F.S.
[3] S. 474.201, F.S.
[4] S. 474.202(11), F.S.
[5] Ss. 474.213 & 474.214, F.S.
[6] *See* s. 474.202(9), F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy or fertility or infertility of animals.
[7] *See* s. 474.202(13), F.S. Section 474.202(1), F.S., defines "animal" as "any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead."
[8] Section 474.204(1), F.S.
[9] Section 474.204(2), F.S.
[10] Section 455.207(3), F.S.

Exemptions

The practice act does not apply to the following categories of persons:

- Veterinary aides, nurses, laboratory technicians, preceptors,[12] or other employees of a licensed veterinarian, who administer medication or provide help or support under the responsible supervision[13] of a licensed veterinarian;
- Certain non-Florida licensed veterinarians who are consulting upon request of a Florida-licensed veterinarian on the treatment of a specific animal or on the treatment on a specific case of the animals of a single owner.
- Faculty veterinarians when they have assigned teaching duties at accredited[14] institutions;
- Certain graduated intern/resident veterinarians of accredited institutions;
- Certain students in a school or college of veterinary medicine who perform assigned duties by an instructor or work as preceptors;
- Certain doctors of veterinary medicine employed by a state agency or the United States Government;
- Persons or their employees caring for the persons' own animals, as well as certain part-time or temporary employees, or independent contractors, who are hired by an owner to help with herd management and animal husbandry tasks; and
- Certain entities or persons[15] that conduct experiments and scientific research on animals as part of the development of pharmaceuticals, biologicals, serums, or methods of treatment or techniques to diagnose or treat human ailments, or in the study and development of methods and techniques applicable to the practice of veterinary medicine.[16]

Veterinary Telehealth

In 2024, the Legislature created and passed the Providing Equity in Telehealth Services Act (PETS act), authorizing the practice of veterinary telehealth.[17] The PETS act allows veterinarians who hold current licenses to practice veterinary telehealth.[18]

Limitations

The PETS act placed certain limitations on what veterinarians are able to do via telehealth, including:

- Requiring veterinarians to provide certain information to the client, including the veterinarian's name, license number and contact information;
- Requiring veterinarians to prescribe all drugs and medications in accordance with federal and state laws;
- Prohibiting veterinarians from ordering or prescribing medicinal drugs or drugs as defined in s. 465.003, F.S., approved by the United States Food and Drug Administration for human use, or compounded antibacterial, antifungal, antiviral, or antiparasitic medications, unless the veterinarian has conducted an

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[11] Department of Business & Professional Regulation Board Member Appointments, Updated March 2025, https://www2.myfloridalicense.com/pro/vetm/documents/vet_board.pdf (last visited January 13, 2026).

[12] A preceptor is a skilled practitioner or faculty member who directs, teaches, supervises, and evaluates students in a clinical setting to allow practical experience with patients. *See also* https://www.merriam-webster.com/dictionary/preceptor#medicalDictionary (last visited March 9, 2025).

[13] The term "responsible supervision" is defined in s. 474.202(10), F.S., as the "control, direction, and regulation by a licensed doctor of veterinary medicine of the duties involving veterinary services" delegated to unlicensed personnel.

[14] Ss. 474.203(1)-(2), F.S., provide that accreditation of a school or college must be granted by the American Veterinary Medical Association (AVMA) Council on Education, or the AVMA Commission for Foreign Veterinary Graduates.

[15] *See* s. 474.203(6), F.S., which states that the exemption applies to "[s]tate agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, graduate doctors of veterinary medicine, or persons under the direct supervision thereof ...."

[16] *See* s. 474.203, F.S.

[17] Ch. 2024-260, Laws of Fla. (codified at section 474.2021, F.S., effective July 1, 2024).

[18] *Id.* Florida law requires the practice of telehealth to be consistent with a veterinarian's scope of practice and the prevailing professional standard of practice for a veterinarian who provides in-person veterinary services to patients in Florida, and who must employ sound, professional judgment to determine whether using veterinary telehealth is an appropriate method for delivering medical advice or treatment to the patient.

in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept;
- Prohibiting the use of veterinary telehealth to prescribe a controlled substance as defined in ch. 893, F.S. (Drug Abuse Preventions and Control), unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits to the premises where the animal is kept;
- Prohibiting prescribing a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse, as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C., ss. 3051 et seq.

Telehealth Prescriptions
Prescriptions based solely on a telehealth evaluation may be issued for up to **1 month** for products labeled solely for flea and tick control and up to **14 days** of treatment for other animal drugs.[19] Prescriptions based solely on a telehealth evaluation may not be renewed without an in-person examination.[20]

Immediate Supervision

The practice act defines "immediate supervision" to mean that a "licensed doctor of veterinary medicine is on the premises whenever veterinary services are being provided."[21]

Veterinary tasks requiring immediate supervision, include:[22]
- Administering anesthesia and tranquilization by a veterinary aide, nurse, laboratory technician, intern, or other employee of a licensed veterinarian.
- Administering certain vaccinations by a veterinary aide, nurse, technician, intern or other employee of a licensed veterinarian which is not specifically prohibited.

Veterinary tasks that may be performed without the licensed veterinarian on the premises, include:[23]
- Administering medication and treatment, excluding vaccinations, as directed by the licensed veterinarian; and
- Obtaining samples and the performance of those diagnostic tests, including radiographs, directed by the licensed veterinarian.

Responsible Supervision

Responsible supervision means "the control, direction, and regulation by a licensed doctor of veterinary medicine of the duties involving veterinary services which she or he delegates to unlicensed personnel."[24]

Veterinary Technicians and Technologists

According to the American Veterinary Medical Association (AVMA), veterinary technicians work under the supervision of a licensed veterinarian and assist in performing a wide variety of tasks. However, they cannot diagnose, prescribe, perform surgery, or engage in any other activity prohibited by a state's veterinary practice act. A veterinary technician employed in a veterinary clinic or hospital handles many of the same responsibilities that nurses and other professionals perform for physicians, including:[25]
- Obtaining medical histories;
- Collecting specimens and performing laboratory procedures;
- Providing specialized nursing care;

[19] Section 474.2021, F.S.
[20] *Id*.
[21] S. 474.202(5), F.S.
[22] R. 61G18-17.005, F.A.C.
[23] *Id.*
[24] S. 474.202(10), F.S.
[25] American Veterinary Medical Association, *Veterinary technicians and veterinary assistants*, https://www.avma.org/resources/pet-owners/yourvet/veterinary-technicians-and-veterinary-assistants (last visited Jan. 13, 2026).

- Preparing animals, instruments, and equipment for surgery;
- Administering medications;
- Administering and monitoring anesthesia;
- Performing certain diagnostic and medical procedures;
- Assisting in surgical procedures;
- Performing dental prophylaxis;
- Performing X-rays and assisting with other diagnostic imaging;
- Educating clients; and
- Supervising and training practice personnel.

Every state has different requirements to work as a vet tech and use the title of veterinary technician. Florida law does not require veterinary technicians to be certified to work. However, individuals can become a Certified Veterinary Technician (CVT) in Florida. The requirements include graduating from an AVMA-accredited vet tech school, passing the Veterinary Technician National Exam (VTNE), and applying for certification through the Florida Veterinary Medical Association (FVMA).[26] Florida currently appears to have six veterinary technology programs accredited by the AVMA Committee on Veterinary Technician Education and Activities (CVTEA), located at:[27]

- Eastern Florida State College;
- Florida A&M University;
- Hillsborough Community College;
- Miami-Dade College;
- Pensacola State College; and
- St. Petersburg College.

Veterinary Professional Associates

In 2024, voters of the state of Colorado approved a ballot measure to create a new, state-regulated veterinary position (Veterinary Professional Associate) that was to address, in part, the shortage of care, especially in rural areas, for pets.[28] Colorado's proposition directed the creation of a regulatory scheme to license and regulate Veterinary Professional Associates.

Similarly to what is being proposed in the bill, Colorado would provide this Veterinary Professional Associate a pathway for those who complete a master's degree in veterinary clinical care, or an equivalent degree determined by the state board.[29] This new Colorado law went into effect on January 1, 2026.[30]

In 2022, The Lincoln Memorial University-College of Veterinary Medicine created the first-of-its-kind Master of Veterinary Clinical Care degree.[31] Students can obtain this degree fully online and in as little as 3 semesters (30 credit hours).[32]

In 2025, Colorado State University developed a similar program that is now admitting students.[33] According to the Colorado State University, College of Veterinary Medicine and Biomedical Sciences, "a veterinary professional

[26] Penn Foster, *How to Become Certified as a Vet Tech (State by State)*, https://www.pennfoster.edu/blog/guide-to-vet-tech-certification-by-state#How_to_become_a_vet_tech_in_Florida (last visited Jan. 13, 2026).
[27] American Veterinary Medical Association, *Veterinary technology programs accredited by the AVMA CVTEA*, https://www.avma.org/education/center-for-veterinary-accreditation/veterinary-technology-programs-accredited-avma-cvtea#florida (last visited Jan. 13, 2026).
[28] Colorado Department of Regulatory Agencies, *State Board of Veterinary Medicine: Proposition 129*, https://dpo.colorado.gov/Veterinary/VeterinaryProfessionalAssociates, (last visited January 13, 2026),
[29] *Id*.
[30] *Id*.
[31] Lincoln Memorial University, *Master of Veterinary Clinical Care*, https://www.lmunet.edu/academics/programs/graduate-professional/master-of-veterinary-clinical-care, (last visited January 13, 2026).
[32] *Id*.
[33] Colorado State University, *About the Master of Science in Veterinary Clinical Care*, https://vetmedbiosci.colostate.edu/vpa/, (last visited January 13, 2026).

associate is a new role similar to a physician assistant in human medicine. This mid-level role fills a gap between veterinarians and veterinary technicians and – along with other institutional initiatives – helps address a national shortage of veterinary care, particularly in rural areas."[34]

Currently the University of Florida is the only school in Florida to offer a Doctor of Veterinary Medicine program that is accredited by the AVMA.[35]

Veterinarian Shortage

According to a survey conducted by the American Pet Products Association (APPA), 70 percent of U.S. households, or about 90.5 million families, own a pet. This is an increase from 56 percent of U.S. households in 1988, and 67 percent in 2019.[36] As a result, experts say there is a shortage of veterinarians in the U.S., which is expected to result in the need for approximately 15,000 veterinarians by the year 2030.[37] A study from Banfield Pet Hospital reveals an estimated 75 million pets in the U.S. may not have access to the veterinary care they need by 2030, with an important factor being a critical shortage of veterinarians.[38]

The University of Florida's Dean of the College of Veterinary Medicine, Dana Zimmel, has indicated that there is a shortage of veterinarians in Florida, which in addition to pets has "1.7 million beef cattle and dairy cows, more horses than Kentucky and an alarming decline of manatee." The state's only veterinary medical college, the University of Florida, also reports that due to limited capacity, it must turn away 1,500 qualified candidates a year.[39]

According to the AVMA:

> Conditions have pushed the idea of a midlevel practitioner to the fore as veterinary practices have struggled to meet service demands. This issue has been compounded by continued inefficiencies in practices as pandemic disruptions persist and client expectations for availability and convenience. Inflation has also increased costs for labor and for products such as medical equipment and medications, creating additional concern around clients' ability to afford needed care. Additionally, retention of veterinary practice staff members and attrition from the profession are ongoing and increasing concerns.[40]
>
> The AVMA found that a midlevel practitioner may not be the best option to address these concerns, and that time and effort should be spent on resources, tools, and programs designed to retain veterinarians and credentialed veterinary technicians; further develop veterinary technician specialties; help veterinary practices operate at optimum efficiency; and effectively collaborate—within practice teams and across the profession—to meet clients' needs for high-quality veterinary services.[41]

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[34] Colorado State University, College of Veterinary Medicine and Biomedical Sciences, *About the veterinary professional associate (VPA)*, https://vetmedbiosci.colostate.edu/vpa/ (last visited Jan. 13, 2026).
[35] American Veterinary Medical Association, *Accredited Veterinary Colleges*, https://www.avma.org/education/center-for-veterinary-accreditation/accredited-veterinary-colleges (last visited January 13, 2026).
[36] Insurance Information Institute, *Facts + Statistics: Pet Ownership and Insurance*, https://www.iii.org/fact-statistic/facts-statistics-pet-ownership-and-insurance#:~:text=Seventy%20percent%20of%20U.S.%20households,and%2067%20percent%20in%202019. (last visited January 13, 2026).
[37] Spectrum News 13, *Mobile 'ElleVet' clinic helps relieve veterinarian shortage*, https://www.mynews13.com/fl/orlando/news/2023/02/03/the-ellevet-project-#:~:text=%E2%80%94%20Experts%20say%20there's%20a%20shortage,States%20may%20not%20get%20care. (last visited January 13, 2026).
[38] Banfield Pet Hospital, *75 million pets may not have access to veterinary care by 2030, New Banfield® study finds*, https://www.banfield.com/en/about-banfield/newsroom/press-releases/2020/75-million-pets-may-not-have-access-to-veterinary (last visited January 13, 2026).
[39] Dana Zimmel, *Florida needs more veterinarians | Column*, Tampa Bay Times (January 3, 2022), https://www.tampabay.com/opinion/2022/01/03/florida-needs-more-veterinarians-column/ (last visited January 13, 2026).
[40] American Veterinary Medical Association, AVMA News, *Idea of midlevel practitioner rejected in favor of better support, engagement of credentialed veterinary technicians* (Jan. 10, 2023), https://www.avma.org/news/idea-midlevel-practitioner-rejected-favor-better-support-engagement-credentialed-veterinary (last visited January 13, 2026).
[41] *Id.*

However, according to a study conducted by the National Library of Medicine:

> The projected shortage of veterinarians has created a need to explore alternatives designed to meet society's future demands. A veterinary professional health care provider, similar to the human medical profession's physician assistant (PA), is one such alternative. It is suggested that perhaps veterinary professional associates, modeled after PAs, could be employed to handle routine veterinary care and thereby allow veterinarians additional time to focus on the more demanding and challenging aspects of veterinary medicine. Perhaps a team approach, similar to the physician/PA team, could help the field of veterinary medicine to better serve both clients and patients. As veterinary medicine directs its attention toward the new challenges on the horizon, creative solutions will be needed. Perhaps some variation of a veterinary professional associate is worthy of future discussion.[42]

Human Physician Assistants

According to the Mayo Clinic, PAs are "licensed medical professionals who hold an advanced degree and are able to provide direct patient care. They work with patients of all ages in virtually all specialty and primary care areas, diagnosing and treating common illnesses and working with minor procedures. With an increasing shortage of health care providers, PAs are a critical part of today's team-based approach to health care. They increase access to quality health care for many populations and communities. The specific duties of a PA are determined by their supervising physician and state law, but they provide many of the same services as a primary care physician. They practice in every state and in a wide variety of clinical settings and specialties."[43]

In Florida, PAs are licensed medical professionals that are authorized to perform services delegated by a supervising physician.[44] PAs are regulated by the Florida Council on Physician Assistants in conjunction with either the Board of Medicine for PAs licensed under ch. 458, F.S., or the Board of Osteopathic Medicine for PAs licensed under ch. 459, F.S. During fiscal year 2024-2025, there were 12,959 actively licensed PAs in the state, and 1,479 initial PA licenses were issued by the Florida Department of Health.[45]

Rabies Vaccinations

Currently, all dogs, cats, and ferrets 4 months of age or older are required to be vaccinated by a licensed veterinarian or a person authorized under the indirect supervision of a veterinarian against rabies with a vaccine that is licensed by the United States Department of Agriculture (USDA) for use in those species.[46] Upon such vaccination, the licensed veterinarian is required to provide the animal's owner and the animal control authority with a rabies vaccination certificate. The veterinarian who administers or supervises the administration of the vaccination is authorized to affix his or her signature stamp in lieu of an actual signature.[47]

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[42] Lori Kogan, Sherry Stewart, *Veterinary professional associates: does the profession's foresight include a mid-tier professional similar to physician assistants?,* National Library of Medicine (2009), https://pubmed.ncbi.nlm.nih.gov/19625672/ (last visited January 13, 2026).
[43] Mayo Clinic College of Medicine and Science, *Physician Assistant*, https://college.mayo.edu/academics/explore-health-care-careers/careers-a-z/physician-assistant/ (last visited January 13, 2026).
[44] Sections 458.347(2)(e) and 459.022(2)(e), F.S.
[45] Florida Department of Health, Division of Medical Quality Assurance, Annual Report and Long-Range Plan, Fiscal Year 2024-2025, https://www.floridahealth.gov/wp-content/uploads/2026/01/2025.10.31.FY24-25MQAAR-FINAL1-1.pdf (last visited January 13, 2026).
[46] S. 828.30(1)(a), F.S.
[47] S. 828.30(3), F.S.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2025	CS/HB 729 - Veterinary Professional Associates	Melo/ *Bradley*	The bill passed the House, but died in the Senate.
2024	HB 849 - Veterinary Practices	Killebrew, Buchanan/ *Bradley*	The bill became law on July 1, 2024.

OTHER RESOURCES:

DBPR: Veterinary Medicine Board Information

USDA: Veterinary Shortage Situations Map

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Thompson
Commerce Committee				

A bill to be entitled

An act relating to veterinary medicine; providing a short title; amending s. 474.201, F.S.; revising legislative findings, intent, and purpose; amending s. 474.202, F.S.; defining terms; amending s. 474.2021, F.S.; increasing the amount of time for which prescriptions based solely on a veterinary telehealth evaluation may be issued for certain drugs; amending s. 474.203, F.S.; revising the applicability of certain exemptions; amending s. 474.204, F.S.; revising the membership of the Board of Veterinary Medicine; creating s. 474.2126, F.S.; providing requirements for veterinary professional associates, veterinary technicians, and veterinary technologists to receive certificates of registration from the Department of Business and Professional Regulation; requiring the department to make a list of veterinary professional associate, veterinary technician, and veterinary technologist registrants publicly available on its website; providing registration eligibility for certain individuals; authorizing the department to suspend the registration of a veterinary professional associate, veterinary technician, or veterinary technologist upon a certain determination by the Board of Veterinary Medicine; authorizing the department to

rescind the registration of a veterinary professional associate, veterinary technician, or veterinary technologist under certain circumstances; prohibiting a person from holding himself or herself out as a veterinary professional associate, veterinary technician, or veterinary technologist under certain circumstances; authorizing a registered veterinary technician or veterinary technologist to take certain actions as delegated under the responsible supervision of a licensed veterinarian or registered veterinary professional associate; prohibiting a registered veterinary technician or veterinary technologist from taking certain actions; authorizing a registered veterinary professional associate to engage in the practice of veterinary medicine under certain circumstances; prohibiting a registered veterinary professional associate from taking certain actions; authorizing a person who is not registered as a veterinary professional associate, veterinary technician, or veterinary technologist to take certain actions only while under the immediate supervision of specified persons; providing construction; authorizing a supervising veterinarian to delegate certain tasks to specified persons; providing that a supervising licensed veterinarian is liable for any acts or

omissions by certain persons under his or her supervision and control; amending s. 828.30, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. This act may be cited as the "Veterinary Workforce Innovation Act."

Section 2. Section 474.201, Florida Statutes, is amended to read:

474.201 Legislative findings, intent, and purpose.—

(1) The Legislature finds that the practice of veterinary medicine is potentially dangerous to the public health and safety if conducted by incompetent and unlicensed practitioners. The legislative purpose in enacting this chapter is to ensure that every veterinarian practicing in this state meet minimum requirements for safe practice. It is the legislative intent that veterinarians who are not normally competent or who otherwise present a danger to the public must ~~shall~~ be disciplined or prohibited from practicing in this state.

(2) The Legislature finds that the practice of educated, trained, and experienced veterinary professional associates, veterinary technicians, and veterinary technologists will increase consumer access to high-quality veterinary medical

services at a reasonable cost to consumers, while also increasing the efficiency of the practice of veterinary medicine in this state.

Section 3. Present subsection (14) of section 474.202, Florida Statutes, is redesignated as subsection (17), and a new subsection (14) and subsections (15) and (16) are added to that section, to read:

474.202 Definitions.—As used in this chapter:

(14) "Veterinary professional associate" means an individual who has graduated with a master's degree or the equivalent in veterinary clinical care from an accredited institution and who meets the requirements to be registered by the department.

(15) "Veterinary technician" or "veterinary technologist" means an individual who has graduated from an accredited veterinary technology program and who meets the requirements to be registered by the department. The term also includes a veterinary nurse.

(16) "Veterinary technology" includes, with respect to animals, the provision of medical care, monitoring, and treatment of a veterinary patient by a person who is a registered veterinary technician or technologist working under supervision of a licensed veterinarian as authorized under this chapter. The term includes veterinary nursing.

Section 4. Subsection (4) of section 474.2021, Florida

Statutes, is amended to read:

474.2021 Veterinary telehealth.—

(4) A veterinarian practicing veterinary telehealth:

(a) May not engage in the practice of veterinary telehealth unless it is within the context of a veterinarian/client/patient relationship;

(b) Shall practice in a manner consistent with his or her scope of practice and the prevailing professional standard of practice for a veterinarian who provides in-person veterinary services to patients in this state and shall employ sound, professional judgment to determine whether using veterinary telehealth is an appropriate method for delivering medical advice or treatment to the patient;

(c) May use veterinary telehealth to perform an initial patient evaluation to establish the veterinarian/client/patient relationship if the evaluation is conducted using synchronous, audiovisual communication. The evaluation may not be performed using audio-only communications, text messaging, questionnaires, chatbots, or other similar means. If a veterinarian practicing telehealth conducts a patient evaluation sufficient to diagnose and treat the patient, the veterinarian is not required to research a patient's medical history or conduct a physical examination of the patient before using veterinary telehealth to provide a veterinary health care service to the patient;

(d) If the initial patient evaluation is performed using

veterinary telehealth, must provide the client with a statement containing the veterinarian's name, license number, and contact information and the contact information for at least one physical veterinary clinic in the vicinity of the patient's location and instructions for how to receive patient follow-up care or assistance if the veterinarian and client are unable to communicate because of a technological or equipment failure or if there is an adverse reaction to treatment, and inform the client that, if medication is prescribed, the client may obtain a prescription that may be filled at the pharmacy of his or her choice. The veterinarian shall obtain from the client a signed and dated statement indicating the client has received the required information before practicing veterinary telehealth;

(e) Shall prescribe all drugs and medications in accordance with all federal and state laws and the following requirements:

1. A veterinarian practicing veterinary telehealth may order, prescribe, or make available medicinal drugs or drugs specifically approved for use in animals by the United States Food and Drug Administration, the use of which conforms to the approved labeling. Prescriptions based solely on a telehealth evaluation may be issued for up to 6 months ~~1 month~~ for products labeled solely for flea and tick control and up to 30 ~~14~~ days of treatment for other animal drugs. Prescriptions based solely on a telehealth evaluation may not be renewed without an in-person

examination.

2. A veterinarian practicing veterinary telehealth may not order, prescribe, or make available medicinal drugs or drugs as defined in s. 465.003 approved by the United States Food and Drug Administration for human use or compounded antibacterial, antifungal, antiviral, or antiparasitic medications, unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits to the premises where the animal is kept.

3. A veterinarian may not use veterinary telehealth to prescribe a controlled substance as defined in chapter 893 unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept.

4. A veterinarian practicing veterinary telehealth may not prescribe a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C. ss. 3051 et seq.;

(f) Shall be familiar with available veterinary resources, including emergency resources, near the patient's location and be able to provide the client with a list of nearby veterinarians who may be able to see the patient in person upon

the request of the client;

(g) Shall keep, maintain, and make available a summary of the patient record as provided in s. 474.2165; and

(h) May not use veterinary telehealth to issue an international or interstate travel certificate or a certificate of veterinary inspection.

Section 5. Subsection (3), paragraph (a) of subsection (5), and subsection (7) of section 474.203, Florida Statutes, are amended to read:

474.203 Exemptions.—This chapter does not apply to:

(3) A student in a school or college of veterinary medicine or a program for veterinary technology while in the performance of duties assigned by her or his instructor or when working as a preceptor under the immediate supervision of a licensee, if such preceptorship is required for graduation from an accredited school or college of veterinary medicine or program for veterinary technology. The licensed veterinarian is responsible for all acts performed by a preceptor under her or his supervision.

(5)(a) Any person, or the person's regular employee, administering to the ills or injuries of her or his own animals, including, but not limited to, castration, spaying, and dehorning of herd animals, unless title is transferred or employment provided for the purpose of circumventing this law. This exemption does not apply to any person licensed as a

veterinarian or registered as a veterinary professional associate, veterinary technician, or veterinary technologist in another state or foreign jurisdiction and practicing temporarily in this state. However, except as provided in s. 474.2126 or s. 828.30, only a veterinarian may immunize or treat an animal for diseases that are communicable to humans and that are of public health significance.

(7) Any veterinary aide, nurse, laboratory technician, preceptor, or assistant; any registered veterinary professional associate, veterinary technician, or veterinary technologist, registered pursuant to s. 474.2126; or other employee of a licensed veterinarian who administers medication or who renders auxiliary or supporting assistance under the responsible supervision of a licensed veterinarian, including those tasks identified by rule of the board requiring immediate supervision, provided that a registered veterinary professional associate, veterinary technician, or veterinary technologist is subject to s. 474.2126. However, the licensed veterinarian is responsible for all such acts performed under this subsection by persons under her or his supervision.

For the purposes of chapters 465 and 893, persons exempt pursuant to subsection (1), subsection (2), or subsection (4) are deemed to be duly licensed practitioners authorized by the laws of this state to prescribe drugs or medicinal supplies.

Section 6. Section 474.204, Florida Statutes, is amended to read:

474.204 Board of Veterinary Medicine.—

(1) To carry out ~~the provisions of~~ this chapter, there is created within the department the Board of Veterinary Medicine composed ~~consisting~~ of all of the following ~~seven~~ members, who shall be appointed by the Governor, subject to confirmation by the Senate:~~.~~

(a)~~(2)~~ Five members of the board who are ~~shall be~~ licensed veterinarians.

(b) Two members who are registered with the department as a veterinary professional associate, veterinary technician, or veterinary technologist and who have been employed as such for at least 5 years immediately preceding the date of appointment to the board.

(c) Two members of the board who are ~~shall be~~ laypersons who are not and have never been veterinarians or members of any closely related profession or occupation.

(2)~~(3)~~ All provisions of chapter 455 relating to activities of regulatory boards shall apply.

Section 7. Section 474.2126, Florida Statutes, is created to read:

474.2126 Veterinary professional associates, veterinary technicians, and veterinary technologists; registration.—

(1) REGISTRATION.—

(a) A veterinary professional associate, veterinary technician, or veterinary technologist may apply to the department for registration by submitting a form prescribed by the board. The department shall consider for registration each qualified veterinary professional associate, veterinary technician, or veterinary technologist, or applicant who the department verifies has submitted a completed application and meets the applicable requirements of this subsection.

(b) The department shall issue a certificate of registration to each veterinary professional associate, veterinary technician, or veterinary technologist applicant who the department verifies has graduated from the relevant accredited program and received a passing score on the relevant professional national competency examination approved by the board.

(c) The department shall issue a certificate of registration to an veterinary technician who does not meet the requirements of paragraph (b), if he or she:

1. Submits a notarized document from an employer who is a licensed veterinarian certifying that as of January 1, 2000, the applicant possesses 5 or more years of practical experience performing the tasks of a veterinary technician in this state;

2. Provides proof of graduation from a veterinary technology program accredited by the American Veterinary Medical Association Committee on Veterinary Technician Education and

Activities before January 1, 2000; and

3. Is in good standing with the appropriate Florida certifying body, including the Florida Veterinary Technician Association or the Florida Veterinary Medical Association, is eligible to apply for registration.

(d) The department shall make the list of registrants available to the public on its website.

(e) The department may suspend the registration of any veterinary professional associate, veterinary technician, or veterinary technologist who the board determines has caused serious harm to an animal due to negligence, incompetence, or misconduct related to duties performed under this section and in a manner inconsistent with the supervising veterinarian's specific direction, until which time as the registrant has completed remedial training or education directed by the board.

(f) The department may rescind the registration of any veterinary professional associate, veterinary technician, or veterinary technologist who is convicted of animal cruelty or animal fighting under s. 828.12 or s. 828.122.

(2) PROHIBITION.—An individual may not hold himself or herself out as a registered veterinary professional associate, veterinary technician, or veterinary technologist or use the abbreviation RVT, RVTg, VT, VPA, or MVCC or in any other way represent himself or herself as a veterinary professional associate, veterinary technician, or veterinary technologist

unless he or she has a valid certificate of registration from the department.

(3) DUTIES AND ACTIONS OF A REGISTERED VETERINARY TECHNICIAN OR VETERINARY TECHNOLOGIST.—

(a) Unless otherwise prohibited by this section or other state or federal law, a registered veterinary technician or veterinary technologist may perform duties or actions in which he or she is competent and has the necessary training, current knowledge, and experience to provide, as delegated under the responsible supervision, as defined in s. 474.202, of a licensed veterinarian or registered veterinary professional associate. In addition to other duties or actions approved by the supervising veterinarian, a registered veterinary technician or veterinary technologist may perform all the following actions under the responsible supervision, as defined in s. 474.202, of a licensed veterinarian or a veterinary professional associate as delegated by a licensed veterinarian:

1. Administer medical drugs as defined in chapter 465 prescribed for a patient by the supervising veterinarian, or provide treatments, as directed;

2. Prepare, record, and administer vaccinations and microchips; or

3. Perform humane euthanasia of animals and prepare, log, and administer controlled substances for the purpose of analgesia, anesthesia, or humane euthanasia, as delegated by a

licensed veterinarian and performed under responsible supervision.

(b) Except as otherwise authorized by this section or other state law, a registered veterinary technician or veterinary technologist may not perform any of the following actions:

1. Make or provide any diagnosis or prognosis;

2. Perform any surgery, except that a registered veterinary technician or registered veterinary technologist may perform suturing or stapling of skin lacerations, gingival incisions, or existing surgical incisions or tooth extraction procedures; or

3. Prescribe any medical drugs as defined in chapter 465 or controlled substances as defined in chapter 893.

(4) DUTIES AND ACTIONS OF A REGISTERED VETERINARY PROFESSIONAL ASSOCIATE.—

(a) Unless otherwise prohibited by this section or other state or federal law, a registered veterinary professional associate may engage in the practice of veterinary medicine as defined in s. 474.202 or veterinary medicine as defined in s. 474.202, to the extent that he or she is competent and has the necessary training, current knowledge, and experience to provide such care, as delegated under the responsible supervision, as defined in s. 474.202, of a licensed veterinarian.

(b) A registered veterinary professional associate may not

do any of the following:

1. Prescribe a controlled substance listed in s. 893.03, except that a registered veterinary professional associate may perform humane euthanasia and prepare, log, and administer controlled substances for the purpose of analgesia, anesthesia, or humane euthanasia, as delegated by a licensed veterinarian and performed under responsible supervision.

2. Perform a surgical procedure, except that a veterinary professional associate may perform the following surgical procedures:

a. Orchiectomy;

b. Veterinary dental surgery; or

c. Veterinary suturing or stapling of skin lacerations, gingival incisions, or existing surgical incisions.

(5) ADMINISTRATION OF MEDICATION.—An individual who is not registered with the state as a veterinary professional associate, veterinary technician, or veterinary technologist may administer medication prescribed by the supervising veterinarian for a patient or render auxiliary or supporting assistance only under the immediate supervision, as defined in s. 474.202, of a licensed veterinarian or under the immediate supervision of a registered veterinary professional associate, veterinary technician, or veterinary technologist who is acting under the responsible supervision of a licensed veterinarian or his or her delegee as defined in s. 474.202, as provided for in subsection

(6). This section does not prohibit an individual from rendering lifesaving aid and treatment to an animal in the absence of a veterinarian if the animal is in a life-threatening condition and requires immediate treatment to sustain life or prevent further injury.

(6) DELEGATION.—Unless otherwise prohibited under this section or other state law or federal law, a supervising licensed veterinarian may in his or her judgment delegate to a registered veterinary professional associate, veterinary technician, or veterinary technologist the responsibility of supervising a task or tasks performed by a veterinary assistant.

(7) LIABILITY.—A supervising licensed veterinarian is liable for any acts or omissions of the registered veterinary professional associate, veterinary technician, or veterinary technologist acting under the licensed veterinarian's supervision and control.

Section 8. Paragraph (a) of subsection (1) and subsection (3) of section 828.30, Florida Statutes, are amended to read:

828.30 Rabies vaccination of dogs, cats, and ferrets.—

(1)(a) All dogs, cats, and ferrets 4 months of age or older must be vaccinated by a licensed veterinarian or a person authorized under paragraph (b) or s. 474.2126 against rabies with a vaccine that is licensed by the United States Department of Agriculture for use in those species.

(3) Upon vaccination against rabies, the licensed

veterinarian shall provide the animal's owner and the animal control authority with a rabies vaccination certificate. Each animal control authority and veterinarian shall use the "Rabies Vaccination Certificate" of the National Association of State Public Health Veterinarians (NASPHV) or an equivalent form approved by the local government that contains all the information required by the NASPHV Rabies Vaccination Certificate. The veterinarian who administers the rabies vaccination or who supervises the administration of the rabies vaccination as provided in paragraph (1)(b) or s. 474.2126 to an animal as authorized under this section may affix his or her signature stamp in lieu of an actual signature.

Section 9. This act shall take effect January 1, 2027.

INDUSTRIES & PROFESSIONAL ACTIVITIES SUBCOMMITTEE

HB 805 by Rep. Melo
Veterinary Medicine

AMENDMENT SUMMARY
January 20, 2026

Amendment 666787 by Rep. Melo (strike-all):

- Removes the licensing and regulation of veterinary technicians and veterinary technologists from the bill.
- Removes the provision in the bill that increases the membership of the Board of Veterinary Medicine.

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	_____

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Melo offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Veterinary Workforce Innovation Act."

Section 2. Section 474.201, Florida Statutes, is amended to read:

474.201 Legislative findings, intent, and purpose.—

(1) The Legislature finds that the practice of veterinary medicine is potentially dangerous to the public health and safety if conducted by incompetent and unlicensed practitioners. The legislative purpose in enacting this chapter is to ensure that every veterinarian practicing in this state meet minimum

requirements for safe practice. It is the legislative intent that veterinarians who are not normally competent or who otherwise present a danger to the public ~~shall~~ be disciplined or prohibited from practicing in this state.

(2) The Legislature finds that the practice of educated, trained, and experienced veterinary professional associates will increase consumer access to high-quality veterinary medical services at a reasonable cost to consumers, while also increasing the efficiency of the practice of veterinary medicine in this state.

Section 3. Present subsection (14) of section 474.202, Florida Statutes, is redesignated as subsection (15), and a new subsection (14) is added to that section, to read:

474.202 Definitions.—As used in this chapter:

(14) "Veterinary professional associate" means an individual who has graduated with a master's degree or the equivalent in veterinary clinical care from an accredited institution and who meets the requirements to be registered by the department.

Section 4. Subsection (4) of section 474.2021, Florida Statutes, is amended to read:

474.2021 Veterinary telehealth.—

(4) A veterinarian practicing veterinary telehealth:

(a) May not engage in the practice of veterinary telehealth unless it is within the context of a

veterinarian/client/patient relationship;

(b) Shall practice in a manner consistent with his or her scope of practice and the prevailing professional standard of practice for a veterinarian who provides in-person veterinary services to patients in this state and shall employ sound, professional judgment to determine whether using veterinary telehealth is an appropriate method for delivering medical advice or treatment to the patient;

(c) May use veterinary telehealth to perform an initial patient evaluation to establish the veterinarian/client/patient relationship if the evaluation is conducted using synchronous, audiovisual communication. The evaluation may not be performed using audio-only communications, text messaging, questionnaires, chatbots, or other similar means. If a veterinarian practicing telehealth conducts a patient evaluation sufficient to diagnose and treat the patient, the veterinarian is not required to research a patient's medical history or conduct a physical examination of the patient before using veterinary telehealth to provide a veterinary health care service to the patient;

(d) If the initial patient evaluation is performed using veterinary telehealth, must provide the client with a statement containing the veterinarian's name, license number, and contact information and the contact information for at least one physical veterinary clinic in the vicinity of the patient's location and instructions for how to receive patient follow-up

care or assistance if the veterinarian and client are unable to communicate because of a technological or equipment failure or if there is an adverse reaction to treatment, and inform the client that, if medication is prescribed, the client may obtain a prescription that may be filled at the pharmacy of his or her choice. The veterinarian shall obtain from the client a signed and dated statement indicating the client has received the required information before practicing veterinary telehealth;

(e) Shall prescribe all drugs and medications in accordance with all federal and state laws and the following requirements:

1. A veterinarian practicing veterinary telehealth may order, prescribe, or make available medicinal drugs or drugs specifically approved for use in animals by the United States Food and Drug Administration, the use of which conforms to the approved labeling. Prescriptions based solely on a telehealth evaluation may be issued for up to 6 months ~~1 month~~ for products labeled solely for flea and tick control and up to 30 ~~14~~ days of treatment for other animal drugs. Prescriptions based solely on a telehealth evaluation may not be renewed without an in-person examination.

2. A veterinarian practicing veterinary telehealth may not order, prescribe, or make available medicinal drugs or drugs as defined in s. 465.003 approved by the United States Food and Drug Administration for human use or compounded antibacterial,

antifungal, antiviral, or antiparasitic medications, unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits to the premises where the animal is kept.

3. A veterinarian may not use veterinary telehealth to prescribe a controlled substance as defined in chapter 893 unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept.

4. A veterinarian practicing veterinary telehealth may not prescribe a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C. ss. 3051 et seq.;

(f) Shall be familiar with available veterinary resources, including emergency resources, near the patient's location and be able to provide the client with a list of nearby veterinarians who may be able to see the patient in person upon the request of the client;

(g) Shall keep, maintain, and make available a summary of the patient record as provided in s. 474.2165; and

(h) May not use veterinary telehealth to issue an international or interstate travel certificate or a certificate

of veterinary inspection.

Section 5. Paragraph (a) of subsection (5) and subsection (7) of section 474.203, Florida Statutes, are amended to read:

474.203 Exemptions.—This chapter does not apply to:

(5)(a) Any person, or the person's regular employee, administering to the ills or injuries of her or his own animals, including, but not limited to, castration, spaying, and dehorning of herd animals, unless title is transferred or employment provided for the purpose of circumventing this law. This exemption does not apply to any person licensed as a veterinarian in another state or foreign jurisdiction and practicing temporarily in this state. However, except as provided in s. 474.2126 or s. 828.30, only a veterinarian may immunize or treat an animal for diseases that are communicable to humans and that are of public health significance.

(7) Any veterinary aide, nurse, laboratory technician, preceptor, person registered pursuant to s. 474.2126, or other employee of a licensed veterinarian who administers medication or who renders auxiliary or supporting assistance under the responsible supervision of a licensed veterinarian, including those tasks identified by rule of the board requiring immediate supervision, provided that a registered veterinary professional associate is subject to s. 474.2126. However, the licensed veterinarian is responsible for all such acts performed under this subsection by persons under her or his supervision.

For the purposes of chapters 465 and 893, persons exempt pursuant to subsection (1), subsection (2), or subsection (4) are deemed to be duly licensed practitioners authorized by the laws of this state to prescribe drugs or medicinal supplies.

Section 6. Section 474.2126, Florida Statutes, is created to read:

474.2126 Veterinary professional associates; registration.—

(1) REGISTRATION.—

(a) A veterinary professional associate may apply to the department for registration by submitting a form prescribed by the board. The department shall consider for registration each qualified veterinary professional associate whom the department verifies has submitted a completed application and meets the applicable requirements of this subsection.

(b) The department shall issue a certificate of registration to each veterinary professional associate applicant whom the department verifies has graduated from the relevant accredited program and received a passing score on the relevant professional national competency examination approved by the board.

(c) The department shall make a list of registrants available to the public on the department's website.

(d) The department may suspend the registration of any

veterinary professional associate whom the board determines has caused serious harm to an animal due to negligence, incompetence, or misconduct related to duties performed under this section and in a manner inconsistent with the supervising veterinarian's specific direction, until such time as the registrant has completed remedial training or education directed by the board.

(e) The department may rescind the registration of any veterinary professional associate who is convicted of animal cruelty under s. 828.12 or animal fighting under s. 828.122.

(2) PROHIBITION.—An individual may not hold himself or herself out as a registered veterinary professional associate or in any other way represent himself or herself as a veterinary professional associate unless he or she has a valid certificate of registration from the department.

(3) DUTIES AND ACTIONS OF A REGISTERED VETERINARY PROFESSIONAL ASSOCIATE.—

(a) Unless otherwise prohibited by federal law, a registered veterinary professional associate may engage in the practice of veterinary medicine as defined in s. 474.202 or veterinary medicine as defined in s. 474.202, to the extent that he or she is competent and has the necessary training, current knowledge, and experience to provide such care, as delegated under the responsible supervision, as defined in s. 474.202, of a licensed veterinarian.

(b) A registered veterinary professional associate may not do any of the following:

1. Prescribe a controlled substance listed in s. 893.03, except that a registered veterinary professional associate may perform humane euthanasia and prepare, log, and administer controlled substances for the purpose of analgesia, anesthesia, or humane euthanasia, as delegated by a licensed veterinarian and performed under responsible supervision.

2. Perform a surgical procedure, except that a veterinary professional associate may perform the following surgical procedures:

a. Orchiectomy;

b. Veterinary dental surgery; or

c. Veterinary suturing or stapling of skin lacerations, gingival incisions, or existing surgical incisions.

Section 7. Paragraph (a) of subsection (1) and subsection (3) of section 828.30, Florida Statutes, are amended to read:

828.30 Rabies vaccination of dogs, cats, and ferrets.—

(1)(a) All dogs, cats, and ferrets 4 months of age or older must be vaccinated by a licensed veterinarian or a person authorized under paragraph (b) or s. 474.2126 against rabies with a vaccine that is licensed by the United States Department of Agriculture for use in those species.

(3) Upon vaccination against rabies, the licensed veterinarian shall provide the animal's owner and the animal

control authority with a rabies vaccination certificate. Each animal control authority and veterinarian shall use the "Rabies Vaccination Certificate" of the National Association of State Public Health Veterinarians (NASPHV) or an equivalent form approved by the local government that contains all the information required by the NASPHV Rabies Vaccination Certificate. The veterinarian who administers the rabies vaccination or who supervises the administration of the rabies vaccination as provided in paragraph (1)(b) or s. 474.2126 to an animal as authorized under this section may affix his or her signature stamp in lieu of an actual signature.

Section 8. This act shall take effect January 1, 2027.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to veterinary medicine; providing a short title; amending s. 474.201, F.S.; revising legislative findings, intent, and purpose; amending s. 474.202, F.S.; defining the term "veterinary professional associate"; amending s. 474.2021, F.S.; increasing the amount of time for which prescriptions based solely on a veterinary telehealth evaluation may be issued for certain drugs; amending s. 474.203,

F.S.; revising the applicability of certain exemptions; creating s. 474.2126, F.S.; providing requirements for veterinary professional associates to receive certificates of registration from the Department of Business and Professional Regulation; requiring the department to make a list of veterinary professional associate registrants publicly available on its website; authorizing the department to suspend the registration of a veterinary professional associate upon a certain determination by the Board of Veterinary Medicine; authorizing the department to rescind the registration of a veterinary professional associate under certain circumstances; prohibiting a person from holding himself or herself out as a veterinary professional associate under certain circumstances; authorizing a registered veterinary professional associate to engage in the practice of veterinary medicine under certain circumstances; prohibiting a registered veterinary professional associate from taking certain actions; providing exceptions; amending s. 828.30, F.S.; conforming provisions to changes made by the act; providing an effective date.

HB 929

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 929	**COMPANION BILL:** SB 1020 (Truenow)
TITLE: Local Government Regulation of Chickees	**LINKED BILLS:** None
SPONSOR(S): Cobb and Gentry	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Intergovernmental Affairs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill prevents a county or municipality from enacting an ordinance that prevents a member of the Miccosukee or Seminole Tribes from constructing a chickee under certain conditions.

Fiscal or Economic Impact:
None

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill prohibits counties from enacting any ordinance or policy that prevents or has the effect of preventing a member of the Miccosukee Tribe of Indians of Florida or Seminole Tribe of Florida from constructing a chickee as defined in 553.73, F.S. if:

- In a side yard if the chickee is at least 10 feet away from the property line.
- Near another structure if the chickee is at least 10 feet away from any other structure.

The bill also prohibits counties from enacting and ordinance or regulation concerning chickees that is more restrictive than federal floodplain management regulations. (Section 1)

The bill prohibits municipalities from enacting any ordinance or policy that prevents or has the effect of preventing a member of the Miccosukee or Seminole Tribe from constructing a chickee as defined in 553.73, F.S. if:

- In a side yard if the chickee is at least 10 feet away from the property line.
- Near another structure if the chickee is at least 10 feet away from any other structure.

The bill also prohibits municipalities from enacting and ordinance or regulation concerning chickees that is more restrictive than federal floodplain management regulations. (Section 2)

The bill revises the definition of "chickee" in statute for purposes of exemption from the Florida Building Code to include chickees that may:

- Have a wooden deck.
- Incorporate nonwood fasteners.
- Incorporate electrical or plumbing features in accordance with a building permit for those specific features.

The bill adds a criminal penalty for a person who is not a member of the tribe who constructs a chickee in an attempt to assert an exemption. (Section 3)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Indian Tribes in Florida

Two tribes, the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida, currently reside and have tribal lands in the state. Most state law governing the relationship between the state and the federally-recognized tribes with tribal lands in the state is contained in ch. 285, F.S.[1]

Chickee

Chickee is the word Seminoles use for "house". Chickees are palmetto thatch over cypress log frame.



[2]

Florida law currently defines "chickee" as an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or nonwood features. They are exempt from the Florida Building Code when contructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida.[3]

Florida Building Code

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.[4]

Building Permits

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public's health, safety, and welfare.[5] Every local government must enforce the Florida Building Code and issue building permits.[6]

A building permit is an official document or certificate issued by the local building official that authorizes performance of a specific activity.[7] It is unlawful for a person, firm, or corporation to construct, erect, alter, repair, secure, or demolish any building without first obtaining a building permit from the local enforcement agency or from such persons as may, by resolution or regulation, be directed to issue such permit.[8]

Any construction work that requires a building permit also requires plans and inspections to ensure the work complies with the Florida Building Code. The Florida Building Code requires certain building, electrical, plumbing, mechanical, and gas inspections. Construction work may not be done beyond a certain point until it passes an inspection. Generally speaking, a permit for construction work that passes the required

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[1] Ch. 285, F.S.
[2] Chickee, Seminole Tribe of Florida website, last visited Jan. 15, 2026.
[3] S. 553.73(10)(i), F.S.
[4] *See* s. 553.72(1), F.S.
[5] S. 553.72, F.S.
[6] Ss. 125.01(1)(bb), 125.56(1), and 553.80(1), F.S.
[7] S. 468.603, F.S.; S. 202 of the Eighth edition of the Florida Building Code (Building).
[8] Ss. 125.56(4)(a) and 553.79(1), F.S.

inspections are considered completed or closed.[9]

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Miralia
Intergovernmental Affairs Subcommittee				
Commerce Committee				

[9] Section 110 of Eighth Edition of the Florida Building Code (Building).

A bill to be entitled

An act relating to local government regulation of chickees; creating ss. 125.489 and 166.04845, F.S.; prohibiting counties and municipalities, respectively, from enacting an ordinance, regulation, or policy that prevents a chickee from being constructed by certain persons in specified locations; prohibiting counties and municipalities from enacting an ordinance, regulation, or policy concerning chickees that is more restrictive than certain federal regulations; amending s. 553.73, F.S.; revising the definition of the term "chickee"; providing a penalty for certain persons who construct chickees in an attempt to assert an exemption from the Florida Building Code; amending s. 633.202, F.S.; defining the term "chickee"; exempting certain chickees from the Florida Fire Prevention Code; providing an effective date.

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

Section 1. Section 125.489, Florida Statutes, is created to read:

125.489 Ordinances, regulations, and policies concerning chickees.—

(1) A county may not enact an ordinance, regulation, or

CODING: Words stricken are deletions; words underlined are additions.

policy that prevents or has the effect of preventing a person who is a member of the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida from constructing a chickee, as defined in s. 553.73(10)(i):

(a) In a side yard if the chickee is at least 10 feet from the property line.

(b) Near another structure if the chickee is at least 10 feet from any other structure.

(2) A county may not enact an ordinance, regulation, or policy concerning chickees that is more restrictive than federal floodplain management regulations.

Section 2. Section 166.04845, Florida Statutes, is created to read:

166.04845 Ordinances, regulations, and policies concerning chickees.—

(1) A municipality may not enact an ordinance, regulation, or policy that prevents or has the effect of preventing a person who is a member of the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida from constructing a chickee, as defined in s. 553.73(10)(i):

(a) In a side yard if the chickee is at least 10 feet from the property line.

(b) Near another structure if the chickee is at least 10 feet from any other structure.

(2) A municipality may not enact an ordinance, regulation,

or policy concerning chickees that is more restrictive than federal floodplain management regulations.

Section 3. Paragraph (i) of subsection (10) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code.—

(10) The following buildings, structures, and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the Legislature and provided by law:

(i) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm, ~~or~~ palmetto, or other traditional materials; that may have a wooden deck; ~~,~~ and that does not incorporate any electrical, plumbing, or other nonwood features, except that a chickee may:

1. Incorporate nonwood fasteners, including, but not limited to, nails, screws, bolts, nuts, washers, staples, and hurricane straps.

2. Incorporate electrical or plumbing features in accordance with a building permit for the incorporation of such features.

A person who is not a member of the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida and who constructs a

chickee in an attempt to assert an exemption from the Florida Building Code commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

With the exception of paragraphs (a), (b), (c), and (f), in order to preserve the health, safety, and welfare of the public, the Florida Building Commission may, by rule adopted pursuant to chapter 120, provide for exceptions to the broad categories of buildings exempted in this section, including exceptions for application of specific sections of the code or standards adopted therein. The Department of Agriculture and Consumer Services shall have exclusive authority to adopt by rule, pursuant to chapter 120, exceptions to nonresidential farm buildings exempted in paragraph (c) when reasonably necessary to preserve public health, safety, and welfare. The exceptions must be based upon specific criteria, such as under-roof floor area, aggregate electrical service capacity, HVAC system capacity, or other building requirements. Further, the commission may recommend to the Legislature additional categories of buildings, structures, or facilities which should be exempted from the Florida Building Code, to be provided by law. The Florida Building Code does not apply to temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

Section 4. Subsection (22) is added to section 633.202,

Florida Statutes, to read:

633.202 Florida Fire Prevention Code.—

(22)(a) As used in this subsection, the term "chickee" has the same meaning as in s. 553.73(10)(i).

(b) Notwithstanding any other provision of law, a chickee is exempt from the Florida Fire Prevention Code, including the national fire codes and other national codes incorporated by reference, if:

1. The chickee is at least 20 feet from another structure subject to the Florida Building Code; or

2. The chickee otherwise implements fire-proofing measures approved by a certified fire protection system contractor.

Section 5. This act shall take effect July 1, 2026.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 7015	**COMPANION BILL:** SB 7014
TITLE: OGSR/Social Media Platform and Antitrust Investigations	**LINKED BILLS:** None
SPONSOR(S): Greco	**RELATED BILLS:** None

Committee References

Orig. Comm.: Government Operations	➤	Industries & Professional Activities	➤	State Affairs
13 Y, 0 N				

SUMMARY

Effect of the Bill:
The bill extends the repeal date for two public record exemptions related to investigations into social media platforms from October 2, 2026, to October 2, 2031. The public record exemptions protect information received by the Department of Legal Affairs or a law enforcement agency into whether a social media platform has committed an antitrust violation or failed to meet certain transparency and notification requirements.

Fiscal or Economic Impact:
None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill extends the repeal date, created pursuant to the Open Government Sunset Review Act, for two public record exemptions related to investigations into social media platforms from October 2, 2026, to October 2, 2031. The public record exemptions protect all information received by the Department of Legal Affairs or a law enforcement agency in an investigation into whether a social media platform committed an antitrust violation based on a case brought by a governmental entity or committed an unlawful act or practice by failing to meet certain transparency and notice requirements. (Sections 1 and 2)

The bill is effective upon becoming a law. (Section 3)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Open Government Sunset Review Act

The Open Government Sunset Review Act (OGSR Act)[1] sets forth a legislative review process for newly created or substantially amended public record or public meeting exemptions. It requires an automatic repeal of the exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.[2]

[1] S. 119.15, F.S.
[2] S. 119.15(3), F.S.

The OGSR Act provides that a public record or public meeting exemption may be created or maintained only if it serves an identifiable public purpose. In addition, it may be no broader than is necessary to meet one of the following purposes:

- Allow the state or its political subdivisions to effectively and efficiently administer a governmental program, which would be significantly impaired without the exemption.
- Protect sensitive personal information that, if released, would be defamatory or would jeopardize an individual's safety; however, only the identity of an individual may be exempted under this provision.
- Protect trade or business secrets.[3]

If, and only if, in reenacting an exemption that will repeal, the exemption is expanded, then a public necessity statement and a two-thirds vote for passage are required. If the exemption is reenacted with grammatical or stylistic changes that do not expand the exemption, if the exemption is narrowed, or if an exception to the exemption is created, then a public necessity statement and a two-thirds vote are not required.[4]

Antitrust Violations

Antitrust laws "prohibit anticompetitive conduct and mergers that deprive American consumers, taxpayers, and workers of the benefits of competition."[5] Federal antitrust law includes the Sherman Antitrust Act,[6] the Clayton Act,[7] and the Federal Trade Commission Act.[8] These laws are principally enforced by the U.S. Department of Justice (DOJ) and the Federal Trade Commission (FTC), but can also be enforced by state Attorneys General, and private plaintiffs.

In 1980, the Legislature passed the Florida Antitrust Act,[9] which, in large part, mirrors the federal Sherman Act.[10] The Florida Antitrust Act prohibits contracts, combinations, or conspiracies in restraint of trade or commerce[11] as well as monopolization or attempted monopolization of any part of trade or commerce.[12] A violation of the Florida Antitrust Act is punishable by up to three years imprisonment and fines up to $1 million for a corporation and $100,000 for any other person.[13] The act also contains a private right of action for any person injured by certain antitrust violations.[14]

Antitrust Violator Vendor List

If an entity that operates a social media platform[15] has been convicted of or held civilly liable for antitrust violations, the Department of Management Services must place the entity, or an affiliate of the entity, on the Antitrust Violator Vendor List (list).[16] The entity or affiliate placed on the list may not:

- Submit a bid, proposal, or reply for any new contract to provide any goods or services to a public entity;
- Submit a bid, proposal, or reply for a new contract with a public entity for the construction or repair of a public building or public work;
- Submit a bid, proposal, or reply on new leases of real property to a public entity;
- Be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a new contract with a public entity; or

[3] S. 119.15(6)(b), F.S.
[4] Art. I, s. 24(c), FLA. CONST.
[5] U.S. Department of Justice, *The Antitrust Laws* (last visited Dec. 3, 2025).
[6] 5 U.S.C. ss. 1-7.
[7] 15 U.S.C. ss. 12-27; 29 U.S.C. ss. 52 and 53.
[8] 15 U.S.C. ss. 41-58.
[9] Ss. 542.15 – 542.36, F.S.
[10] *See* s. 542.16, F.S.
[11] S. 542.18, F.S.
[12] S. 542.19, F.S.
[13] S. 542.21, F.S.
[14] Ss. 542.21 and 542.23, F.S.
[15] Ss. 287.137(1)(f) and 501.2041(1)(g), F.S.
[16] S. 287.137(2), F.S.

- Transact new business with a public entity.[17]

Public entities are prohibited from accepting a bid, proposal, or reply from, awarding a new contract to, or transacting new business with any entity or affiliate on the list.[18]

The Attorney General may temporarily place any entity charged or accused of violating a state or federal antitrust law in a civil or criminal proceeding brought by the Attorney General, a state attorney, the Federal Trade Commission, or the DOJ on the list until the proceeding has concluded.[19] However, before the entity may be temporarily placed on the list, the Attorney General must make a finding of probable cause that the entity has likely violated the underlying antitrust laws.[20]

If probable cause exists, the Attorney General must notify the entity in writing of its intent to temporarily place the entity's name on the list, and of the entity's right to a hearing, the procedure that must be followed, and the applicable time requirements.[21] If the entity does not request a hearing, the Attorney General must enter a final order temporarily placing the entity's name on the list. If the entity does request a hearing, the burden is on the Attorney General to prove that it is in the public interest to place the entity on the list.[22]

Unlawful Acts and Practices by Social Media Platforms

Current law requires social media platforms to meet certain transparency and notification requirements and authorizes the Department of Legal Affairs (DLA)[23] to bring an action against the platform under the Florida Deceptive and Unfair Trade Practices Act (FDUTPA) for failing to do so.[24] Social media platforms are prohibited by law from:

- Censoring or shadow banning a user's content or material or deplatforming a user from the social media platform in a way that would otherwise violate FDUTPA, or without notifying the user who posted or attempted to post the content or material.
- Applying or using post-prioritization or shadow banning algorithms for content and material posted by or about a user who is known by the social media platform to be a candidate for office in Florida, beginning on the date of qualification and ending on the date of the election or the date the candidate ceases to be a candidate.
- Taking any action to censor, deplatform, or shadow ban a journalistic enterprise based on the content of its publication or broadcast.[25]

If a social media platform fails to comply with those legal requirements, it commits an unfair or deceptive act or practice in violation of FDUTPA.[26] If DLA, by its own inquiry or as a result of a complaint, suspects that such a violation is imminent, occurring, or has occurred, DLA may investigate the suspected violation in accordance with FDUTPA.[27] In an investigation by DLA into alleged violations, DLA's investigative powers include the ability to subpoena any algorithm used by a social media platform related to any alleged violation.[28]

NetChoice v. Moody

In June 2021, trade associations representing social media companies sued the State of Florida in the U.S. District Court for the Northern District of Florida challenging the provision of law created in SB 7072 (2021) that made

[17] *Id.*
[18] S. 287.137(2)(b), F.S.
[19] S. 287.137(3)(d)1., F.S.
[20] *Id.*
[21] S. 287.137(3)(d)2., F.S. A person may not be placed on the list without receiving a notice of intent from the Attorney General.
[22] S. 287.137(3)(d)3-5., F.S.
[23] The DLA is headed by the Attorney General. S. 20.11, F.S.
[24] S. 501.2041(2), F.S.
[25] *Id.*
[26] *Id.*
[27] S. 501.2041(5), F.S.
[28] S. 501.2041(8), F.S.

certain practices by social media platforms a violation of FDUTPA alleging violations of the plaintiffs' free speech under the First and Fourteenth Amendments. Thereafter, the court issued a preliminary injunction, enjoining the state from enforcing those provisions.[29] The trade associations also brought a similar claim against a bill in Texas, HB 20, that established restrictions on certain activities by social media platforms and the district court in Texas issued a preliminary injunction.[30] Both states appealed the preliminary injunctions. The U.S. Court of Appeals for the Eleventh Circuit upheld the lower court's preliminary injunction; however, the U.S. Court of Appeals for the Fifth Circuit reversed its lower court's preliminary injunction.[31] Both cases were then appealed to the U.S. Supreme Court, which agreed to hear them as one case. The U.S. Supreme Court found that the lower courts had not conducted a proper analysis of the First Amendment challenges in either case and reversed and remanded the cases to the district courts.[32]

Currently in Florida, the case remains in the discovery phase and a trial date is set for July 13, 2026.[33]

Public Record Exemption under Review

In 2021, the Legislature created a public record exemption for all information received by the DLA or a law enforcement agency in an investigation into whether a social media platform:

- Committed an antitrust violation based on a case brought by a governmental entity[34]
- Failed to meet certain transparency and notification requirements[35]

All information received by DLA pursuant to an investigation by DLA or a law enforcement agency is confidential and exempt from public record requirements,[36] until such time as the investigation is completed or ceases to be active. During an active investigation, the confidential information may be disclosed by the DLA in the performance of its official duties and responsibilities or to another governmental entity in performance of its duties and responsibilities.[37]

Once an investigation is complete or once an investigation ceases to be active, the following information received by DLA remains confidential and exempt from public record requirements:

- All information to which another public records exemption applies.
- Personal identifying information.
- A computer forensic report.
- Information that would otherwise reveal weaknesses in a business's data security.
- Proprietary business information.[38]

The 2021 public necessity statement[39] provided several reasons for the public record exemptions under review. Among those reasons, the Legislature stated that the premature release of the protected information "could

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[29] *Netchoice, LLC v. Moody*, 546 F. Supp. 3d 1082 (N.D. Fla. 2021).
[30] *Netchoice, LLC v. Paxton*, 573 F. Supp. 3d 1092 (W.D. Tex. 2021).
[31] *Netchoice, LLC v. Atty. Gen., Fla.*, 34 F.4th 1196 (11th Cir. 2022); *Netchoice, LLC v. Paxton*, 49 F.4th 439 (5th Cir. 2022).
[32] *Moody v. Netchoice, LLC*, 603 U.S. 707 (2024)
[33] *Netchoice, LLC v. Uthmeier*, No. 4:21cv220-RH-MAF, 2025 WL 3534514, (N.D. Fla. May 22, 2025)
[34] S. 287.137(8), F.S.
[35] S. 501.2041(10), F.S.
[36] There is a difference between records the Legislature designates exempt from public record requirements and those the Legislature deems confidential and exempt. A record classified as exempt from public disclosure may be disclosed under certain circumstances. *See WFTV, Inc. v. Sch. Bd. of Seminole*, 874 So.2d 48, 53 (Fla. 5th DCA 2004), *review denied* 892 So.2d 1015 (Fla. 2004); *City of Rivera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 1994); *Williams v. City of Minneola*, 575 So.2d 683, 687 (Fla. 5th DCA 1991). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released by the custodian of public records, to anyone other than the persons or entities specifically designated in statute. *See* Op. Att'y Gen. Fla. (1985).
[37] S. 287.137(8)(b) and 501.2041(10)(b), F.S.
[38] Ss. 287.137(8)(c) and 501.2041(10)(c), F.S.
[39] Article I, s. 24(c), FLA. CONST., requires each public record exemption to "state with specificity the public necessity justifying exemption."

frustrate or thwart the investigation and impair the ability of the Attorney General and the Department of Legal Affairs to effectively and efficiently administer" the relevant provisions of law.[40] Further, the exemptions exist to "continue to protect from public disclosure all information to which another public record exemption applies once an investigation is completed or ceases to be active."[41]

Pursuant to the OGSR Act, the public record exemptions will repeal on October 2, 2026, unless reviewed and saved from repeal by the Legislature.[42]

During the 2025 interim, House and Senate committee staff met with staff from DLA to discuss the public record exemptions under review. DLA staff stated that they have not received any public records requests since the exemptions were enacted. DLA staff noted that because a portion of the substantive law is currently enjoined, DLA has not been able to conduct any investigations into whether a social media platform has engaged in an unfair or deceptive practice under the law passed in 2021. Due to the injunction, DLA had not utilized the related public record exemption. DLA staff were not aware of any other exemptions that protected the information or any method by which a person could obtain information in the records by alternative means. DLA staff recommended that the exemption be reenacted as is to preserve the integrity of their investigations if the injunction is lifted by the courts.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Orig. Comm.: Government Operations Subcommittee	13 Y, 0 N	12/10/2025	Toliver	Lines
Industries & Professional Activities Subcommittee			Anstead	Ray
State Affairs Committee				

[40] Ch. 2021-33, L.O.F.
[41] *Id.*
[42] Ss. 287.137(8)(e) and 501.2041(10)(e), F.S.

A bill to be entitled

An act relating to review under the Open Government Sunset Review Act; amending s. 287.137, F.S., which provides an exemption from public record requirements for certain information received in investigations by the Attorney General or a law enforcement agency into social media platform activities; extending the scheduled repeal date of the exemption; amending s. 501.2041, F.S., which provides an exemption from public records requirements for certain information received in investigations by the Department of Legal Affairs or a law enforcement agency into violations by certain social media platforms; extending the scheduled repeal date of the exemption; providing an effective date.

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

Section 1. Paragraph (e) of subsection (8) of section 287.137, Florida Statutes, is amended to read:

287.137 Antitrust violations; denial or revocation of the right to transact business with public entities; denial of economic benefits.—

(8)

(e) This subsection is subject to the Open Government

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031 ~~2026~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. Paragraph (e) of subsection (10) of section 501.2041, Florida Statutes, is amended to read:

501.2041 Unlawful acts and practices by social media platforms.—

(10)

(e) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031 ~~2026~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 3. This act shall take effect upon becoming a law.