

Building Code Fee Surpluses: Counties Lose Ability to Fund Department Facilities

SB 1614 – Sen. Tom Leek (HB 1169 – Rep. Chase Tramont)

General Bill Summary

CS/CS/CS/SB 1614 revises how local governments may use excess revenues generated from Florida Building Code enforcement activities. Under current law, counties and municipalities may retain a limited amount of building permit and inspection fee revenue. If revenues exceed the allowable carryforward amount, the excess must be used for specified purposes outlined in statute.

The bill removes one of those allowable uses. Specifically, it eliminates the ability for a local government to use excess building code enforcement funds to construct a building or structure that houses the local government's building code enforcement agency.

After the change, excess funds above the statutory carryforward limit must instead be used for other authorized purposes, including rebating or reducing fees, upgrading technology systems used for permitting and inspections, or providing training for building officials, inspectors, and plans examiners.

The legislation amends provisions of the Florida Building Code enforcement funding structure but does not otherwise modify fee authority or the carryforward limits themselves.

Potential County Impact

The bill reduces flexibility for counties in how they may spend surplus building code enforcement revenues.

Under current law, counties that accumulate funds above the allowable carryforward limit may dedicate those excess funds to certain operational improvements or to constructing facilities for their building departments. SB 1614 removes facility construction as an allowable use. As a result, counties would no longer be able to use surplus building permit revenues to build or expand offices for building officials, inspection staff, or related operations.

Counties that were considering or planning capital projects for building department facilities using these surplus funds may need to shift those costs to other revenue sources, such as general funds or other capital funding mechanisms.

At the same time, counties would still retain the ability to use excess funds for fee reductions or rebates, technology upgrades, and workforce training for building code personnel. Senate staff analyses note the bill may have an indeterminate negative fiscal impact on local governments because it removes one funding option for facility construction.

Counties may wish to review building inspection fund balances, planned capital projects, and internal accounting practices to ensure compliance once the bill takes effect.

Effective Date

July 1, 2026.

Primary Statutory References

- s. 553.80, F.S.