Legislative Bill Brief

June 2026

BUILDING PERMIT SURPLUS REVENUES FACE NEW RESTRICTIONS

Overview

Governor DeSantis has approved CS/CS/CS/SB 1614 by Senator Leek, modifying how local governments may use surplus revenues generated from building permit and building code enforcement fees.

The legislation narrows allowable uses for excess building code enforcement revenues by eliminating a local government's ability to spend those funds on the construction of facilities that house building departments. The bill also creates a new enforcement mechanism allowing permit holders and certain affected parties to challenge noncompliant local governments in court.

Key Provisions

Restrictions on Use of Surplus Building Permit Revenues

Florida law authorizes local governments to collect reasonable fees to administer and enforce the Florida Building Code, including activities such as:

• Building plan review

• Permit processing

• Building inspections

• Code enforcement administration

Any revenues generated from these fees must be used solely for carrying out building code enforcement responsibilities.

Under prior law, local governments could use excess building code enforcement revenues for several specific purposes, including:

• Technology hardware and software upgrades

• Training and continuing education programs for building officials and inspectors

• Construction of facilities housing building code enforcement agencies

SB 1614 removes the authority to use surplus funds for construction of buildings that house local building departments.

Allowable Uses Retained

Local governments may continue to use excess revenues for:

• Rebating fees to permit applicants where appropriate

• Technology upgrades and modernization efforts

• Training and professional development for building code enforcement personnel

New Enforcement Authority

The bill creates a new compliance mechanism by authorizing certain parties to bring civil actions against local governments that fail to comply with the revised requirements governing the use of surplus building permit revenues.

Eligible parties include:

• Property owners holding valid building permits

• Builders holding valid building permits

• Associations representing individuals or entities with valid building permits

Practical Implications

This legislation is likely to increase scrutiny of local government building department finances and reserve accounts. Jurisdictions that have historically accumulated significant permit fee surpluses will face greater pressure to ensure those funds are spent only on statutorily authorized purposes directly related to building code administration.

For builders, developers, contractors, and property owners, the bill provides an additional accountability tool by allowing legal action when local governments are perceived to be improperly using building permit revenues.

The measure may also encourage local governments to reevaluate permit fee structures and reserve balances to avoid accumulating excess revenues that cannot be readily deployed for authorized purposes.

Implications for Development and Homebuilding

The bill is particularly relevant to the development community because it reinforces the principle that building permit fees should support permit review and inspection services rather than broader capital construction projects.

Homebuilders, developers, and commercial property owners may view the legislation as a safeguard against permit fee revenues being diverted to projects unrelated to the direct administration of the permitting process. The new cause of action also provides the industry with a mechanism to challenge perceived misuse of permit fee funds.

Legislative Status

CS/CS/CS/SB 1614 was approved by the Governor and takes effect July 1, 2026.

Final Vote

Senate: 37-0

House: 112-0

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