

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 3, Page 1,  
2 Section A, Line 4, by inserting after all of said section and line the following:

3  
4 "67.492. 1. As used in this section, the following terms mean:

5 (1) "Level 1 building permit", a permit to perform construction, maintenance, repairs, or  
6 replacements related to the following categories:

7 (a) A building structure with less than seven thousand five hundred square feet that is a  
8 residential unit, whether a single-family residential unit or a single-family residential dwelling;

9 (b) An accessory structure;

10 (c) Alarms;

11 (d) Electrical;

12 (e) Irrigation;

13 (f) Landscaping;

14 (g) Mechanical;

15 (h) Plumbing; or

16 (i) Roofing;

17 (2) "Level 2 building permit", a permit to perform construction, maintenance, repairs, or  
18 replacements related to the following categories:

19 (a) A building structure with at least seven thousand five hundred square feet that is a  
20 residential unit, whether a single-family residential unit or a single-family residential dwelling;

21 (b) An accessory structure;

22 (c) Alarms;

23 (d) Electrical;

24 (e) Irrigation;

25 (f) Landscaping;

26 (g) Mechanical;

27 (h) Plumbing; or

28 (i) Roofing;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       (3) "Level 3 building permit", a permit to perform construction, maintenance, repairs, or  
2 replacements related to signs or nonresidential buildings with less than twenty-five thousand square  
3 feet;

4       (4) "Level 4 building permit", a permit to perform construction, maintenance, repairs, or  
5 replacements related to the following categories:

6           (a) Multifamily residential property not exceeding fifty units;

7           (b) Site-plan approvals and subdivision plats not requiring a public hearing or public notice;  
8 or

9           (c) Lot grading and site alteration;

10       (5) "Level 5 building permit", a site-specific building permit obtained under a building  
11 permit intended for use by builders who expect to construct identical single-family or two-family  
12 dwellings or townhomes on a repetitive basis;

13       (6) "Level 6 building permit", a single-family residential dwelling permit applied for by a  
14 contractor licensed in this state on behalf of a property owner who participates in a federal  
15 Community Development Block Grant disaster recovery (CDBG-DR) appropriation within this  
16 state;

17       (7) "Rebuilding area", an area that has been destroyed by a natural disaster that results in the  
18 governor proclaiming a state of emergency for such area as provided in chapter 44.

19       2. (1) A political subdivision with authority to grant a building permit under state law or  
20 local orders or ordinances shall approve, approve with conditions, or deny a building permit  
21 application within the following deadlines after receipt of a completed and sufficient application:

22           (a) For a level 1 building permit, thirty business days;

23           (b) For a level 2, level 3, or level 4 building permit, forty-five business days;

24           (c) For a level 5 building permit, twelve business days; and

25           (d) For a level 6 building permit, ten business days, unless the permit application fails to  
26 satisfy state law or local orders or ordinances relating to single-family residential dwelling  
27 construction, maintenance, repairs, or replacements.

28       (2) A deadline listed in subdivision (1) of this subsection shall not apply if the building  
29 permit applicant waives the deadline in writing.

30       (3) No political subdivision shall require the waiver of the deadlines in this subsection as a  
31 condition precedent to reviewing an applicant's building permit application.

32       3. A political subdivision shall meet the deadlines described in this section for reviewing  
33 building permit applications unless the deadlines set by local orders or ordinances are shorter than  
34 the deadlines required in this section.

35       4. (1) After a building permit applicant submits an application to a political subdivision, the  
36 political subdivision shall provide written notice to the applicant within five business days after  
37 receipt of the application advising the applicant what information, if any, is needed to deem or  
38 determine that the application is properly completed in compliance with the filing requirements  
39 published by the political subdivision.

1       (2) If the political subdivision does not provide timely written notice that the applicant has  
2 not submitted the properly completed application, the application shall be automatically deemed or  
3 determined to be properly completed and accepted.

4       5. A political subdivision shall maintain on the political subdivision's website a policy  
5 containing procedures and expectations for expedited processing of building permits and  
6 development orders required by law to be expedited.

7       6. (1) If a political subdivision fails to meet a deadline established under this section, the  
8 political subdivision shall reduce the building permit fee by ten percent for each business day that  
9 the political subdivision fails to meet the deadline.

10       (2) Each ten-percent reduction shall be based on the original amount of the building permit  
11 fee.

12       (3) No reduction of the fee shall occur under subdivision (1) of this subsection if:

13       (a) The political subdivision and the building permit applicant agree, in writing, to a  
14 reasonable extension of time; or

15       (b) The delay is caused by the applicant.

16       (4) (a) No political subdivision shall be required to reduce the building permit fee if the  
17 political subdivision provides written notice to the applicant by email or United States Postal  
18 Service within the respective deadlines established under this section that specifically states the  
19 reasons the permit application fails to satisfy state law or local orders or ordinances.

20       (b) The written notice shall state that the applicant has ten business days after receiving the  
21 written notice to submit revisions to correct the permit application and that failure to correct the  
22 application within ten business days will result in a denial of the application.

23       (c) If the applicant submits revisions within ten business days after receiving the written  
24 notice, the political subdivision shall have ten business days after receiving the revisions to approve  
25 or deny the building permit unless the applicant agrees, in writing, to a longer period.

26       (d) If the political subdivision fails to issue or deny the building permit within ten business  
27 days after receiving the revisions, the political subdivision shall reduce the building permit fee by  
28 twenty percent for each business day that the political subdivision fails to meet the deadline unless  
29 the applicant agrees, in writing, to a longer period.

30       7. If a political subdivision refunds a building permit fee under this section, the political  
31 subdivision shall recalculate any surcharge related to the permit and fee collected by the political  
32 subdivision. The recalculation shall be based on the amount of the building permit fees after the  
33 refund.

34       8. (1) If a contractor is performing construction, maintenance, repairs, or replacements in a  
35 rebuilding area and such construction, maintenance, repairs, or replacements would require any  
36 level of building permit defined in subsection 1 of this section, the contractor may begin such  
37 construction, maintenance, repairs, or replacements in such rebuilding area without a permit as  
38 required under this section.

1           (2) This subsection shall not be construed to exempt such construction, maintenance,  
2 repairs, or replacements in a rebuilding area from any other existing state law or rule or a local order  
3 or ordinance related to safety requirements for such construction, maintenance, repairs, or  
4 replacements.

5           9. This section shall apply only to construction, maintenance, repairs, or replacements in a  
6 rebuilding area requiring any level of building permit defined in subsection 1 of this section."; and

7  
8 Further amend said bill by amending the title, enacting clause, and intersectional references  
9 accordingly.