

MEMORANDUM

TO: Eric Hartwell, General Counsel
Florida League of Cities

FROM: Brian J. Sherman, Esq.
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DATE: May 27, 2026

RE: Legislative Update House Bill 927/Qualified Contractors

This memorandum is intended to provide an overview of House Bill 927 ("HB 927") entitled "Local Land Planning and Development," and how it will affect municipalities. Please consult with your legal counsel if you have any specific questions on how these legislative amendments will affect your particular jurisdiction.

HB 927 was signed into law by the Governor on May 6, 2026, as Chapter 2026-64, Laws of Florida. HB 927 becomes effective on July 1, 2026.

HB 927 amends several statutes affecting local government review of development permits and orders.

1. Qualified Contractors– Introduction and Application

HB 927 requires municipalities with populations of 10,000 or more to establish a registry of Qualified Contractors to conduct preapplication reviews of plans, permits, or plats. The law creates a new §163.3169, Florida Statutes, establishing a framework for applicants to use Qualified Contractors and Qualified Contractor Firms for certain preapplication consulting and technical review services associated with development permits, site plans, subdivision approvals, plats, and related land development approvals. Plan or permit reviews required pursuant to § 553.791, Fla. Stat., are expressly excluded from this framework.

An important distinction within HB 927 is that the definition of site plan or development plan approval is limited to approvals expressly designated by the local government for administrative review. This includes permits governed by nondiscretionary objective standards which are

approved by governmental staff and includes, but is not limited to, approvals or permits related to:

- Trees;
- Signs;
- Landscaping; or,
- Or minor modifications.

Preapplication technical consulting and review services are inapplicable to site plans, development plans, or modifications to existing plans that require either approval, including quasi-judicial approval, by the governing board or an appointed review board, and one of the following criteria are materially increased:

- Density;
- Intensity;
- Traffic;
- Infrastructure demand;
- Environmental impacts; or
- Results in significant offsite impacts.

Similarly, preapplication technical consulting and review services are also inapplicable to the administrative review process for "subdivisions approvals." "Subdivision approval" under HB 927 only applies to the division of land into a limited number of lots which do not create new public streets or require significant public infrastructure improvements, and do not materially increase development impacts.

2. Establishing Registry of Qualified Contractors - Municipalities

By January 1, 2027, the covered municipalities must establish a registry of at least four Qualified Contractors **or** two Qualified Contractor firms, which the municipal governing body shall allow applicants to use to supplement the local government's staff.

A "Qualified Contractor" is defined to mean:

"The individual or firm that has demonstrated knowledge of and experience with the types of permits or development approval specified in this section. The term includes but is not limited to any of the following:

- A licensed engineer or engineering firm licensed under chapter 471;

- A licensed surveyor or mapper, or a surveyor's or mapper's firm, licensed under chapter 472;
- An architect or architecture firm licensed under part I of chapter 481;
- A registered landscape architect or a landscape architecture firm registered under part II of chapter 481;
- A planner certified by the American Institute of Certified Planners with at least five (5) years of relevant government experiences, or at least ten (10) years of experience as an urban planner if not certified.

A "Qualified Contractor Firm" is generally a business organization that offers services for preapplication review, using certain specialties listed in the statutory definition as agents, employees or officers of the qualified contractor firm.

Local government entities shall use Qualified Contractors or Qualified Contractor Firms to supplement local government staff resources, in ways determined by the governing body, upon written request by an applicant for the following services:

- Preapplication consulting services for development permits and orders as provided under Section 166.033(1), Florida Statutes;
- Processing and expediting review of preliminary plat applications or related plans Section 177.073, Florida Statutes; and,
- Administrative approval of plat or replats Section 177.071, Florida Statutes.

Qualified Contractors/Firms are prohibited from having conflicts of interest, which has the same meaning as Section 112.312, Florida Statutes, and includes conflicts recognized under applicable licensing or certification standards.

Local governments may enter into an agreement with another local government for the purpose of using public employees who satisfy the requirements for a Qualified Contractor to meet the minimum number of Qualified Contractors for the registry. However, a local government cannot put its own employees on its registry.

Local governments must provide access to public records and information reasonably necessary to perform preapplication consultation services. This requirement is specifically not intended to authorize disclosure of records otherwise confidential or exempt pursuant to Chapter 119, nor may it be construed to require violating licensing terms of any applicable proprietary software licensing or similar agreements. It remains to be seen whether this language alone provides for any more than the existing public record exemptions for proprietary or trade secret material.

Although the local governments must allow the use of Qualified Contractors/Firms, the costs of the such shall remain the responsibility of the applicant.

HB 927 includes a penalty for a local government for not timely creating Qualified Contractor registry. Failure to establish or maintain a registry shall result in applicants being able to retain a Qualified Contractor/Firm of their choosing to provide preapplication consultation services. Local governments also may not condition, deny, or delay any application due to the use of Qualified Contractor/Firm.

3. Development Preapplication Consulting Services Program.

HB 927 amends §166.033, Florida Statutes, which requires municipalities to create and implement a development preapplication consulting services program. The preapplication consulting services are limited to applications for permits as defined in §163.3169, Florida Statutes. §163.3169, Florida Statutes defines "permits" to include "authorization, approval, or grant by a local governing body which authorizes the development of land for any site plan or development approval, or any subdivision approval."

A development preapplication consultant service program must provide:

- The minimum information that must be submitted in an application; and
- The review and precertification of completes of the application and all related documents, including site engineering or site plans or their functional equivalent, or plats, and their compliance with all relevant existing land development applications.

The current statutory approval process, including timelines and deadlines, for development permits and orders remains in place if the applicant declines to use the development preapplication consultation service program, or if the application is otherwise ineligible.

Municipal programs in place before July 1, 2026, which provide similar preapplication services and require mandatory preapplication meetings for certain developments, remain unaffected by HB 927. Therefore, there are multiple pathways for the application for administrative approval, including preapplication consulting services using a Qualified Contractor/Firm, an existing preapplication service program, or the existing application process. However, each application process still can only result in approval, approval with conditions, or denial by staff or the appropriate administrative official.

4. Preapplication Consulting Services Program Application Approval Times

HB 927 creates a “fast lane” for applicants who participate in the preapplication consulting services program under Section 166.033(1)(d), Florida Statutes.

Upon receipt of a completed application from a Qualified Contractor/Firm, the municipality shall confirm receipt of the proposed development application and issue written notification to the applicant that all the required information has been submitted within five (5) business days. If written notification is not provided within this timeframe, the application is deemed complete by operation of law, without conditions, and the municipality must process the application.

The municipality must then process the application for final action, approve the application, approve the application with conditions, or deny the application within forty (45) days. Importantly, the municipality **may not** re-review the engineering plans, site plans, their functional equivalent, or plats once approved as compliant by the Qualified Contractor/Firm. If the City fails to act on the application within the 45-day window, the applicant must notify the City in writing. If another ten (10) days passes without City action, the application is deemed approved without conditions.

The HB 927 “fast lane” is only available to applicants who use the preapplication consulting services program. The current statutory approval process remains in place for applicants who decline to use the preapplication consulting services program or whose application does not qualify for the preapplication consulting services program.

5. Administrative Approval of Plats or Replats

The applicant has the ability to force the municipality, by written request, to use the Qualified Contactor/Firm Registry to supplement local government staff resources to process and expedite plat and replat approvals. HB 927 permits the municipality to determine how these processes are implemented. However, the municipality’s administrative approval procedures for plat and replats must remain consistent with Sections 177.071 and 177.091, Florida Statutes, and the municipality **may not** create, establish, or apply any additional procedures or conditions for the administrative approval of plats or replats.

6. Expedited Approval of Residential Building Permits Before Final Plat Recorded

HB 927 expands the definition of “Applicant” under Section 177.073, Florida Statutes to allow developers of “multiphased planned communities” to avail themselves of the expedited residential building permit approval currently allowed by statute.

HB 927 now provides a penalty for municipalities that were required to create an expedited building permit program for qualified residential developments pursuant to §177.073(2)(a), Florida Statutes. Municipalities with 10,000 or more residents **must currently** provide for an expedited permit process for 50% of an applicant's planned residential development. That requirement must be updated to 75% by December 31, 2027.

Failure to provide for these required expedited approvals would allow the applicant an unconditional, self-executing right to use a Qualified Contactor/Firm of the applicant's choosing, to provide technical review and certification services necessary to support the issuance of up to 75% of the building permits for the residential development, which includes subdivisions, planned communities, or multiphase communities, before a plat is recorded. Both the local government and the local building official would be prohibited from conditioning, delaying, limited, restricting, obstructing, or denying the applicant's use a Qualified Contactor/Firm. The Qualified Contactor/Firm may perform all technical review services, and the local building official must accept such submissions when prepared and sealed by a Qualified Contactor/Firm, subject to only a review for compliance with the Florida Building Code and applicable state law, or to otherwise identify deficiencies within the submission. **This unconditional right becomes effective immediately, unless and until the local government adopts a program that complies with Section 177.073, Florida Statutes.**

Issuance of the subject building permits is conditioned on the submittal of an approved preliminary plat, along with "approved plans." The term "approved plans" is now defined and limited by HB 927 to mean plans approved for design and permit review, and does not include, require, or imply any certification, attestation, or confirmation of the completion of the construction or improvements referenced by such plans. However, construction of the minimum access and roadway improvements as required by the Florida Fire Prevention Code, including stabilized emergency access roadways, are otherwise included within the term "approved plans."

Conclusion

HB 927 substantially reforms the development review process, creating an avenue for the use of private vendors for certain approval processes traditionally completed by local government. It sets limits on municipal review of plans approved by Qualified Contractors and Qualified Contractor Firms. HB 927 also provides developers an option to use the private sector to expedite the development review and approval process, and provides penalties for municipalities that decline to timely implement the statutorily-required preapplication consulting services program.

Please consult with your municipal attorney to discuss how HB 927 affects your jurisdiction and the steps needed to implement the requirements mandated by HB 927

Q & As

Question: What is the contractual and oversight relationship between the Local Government, the applicant, and the Qualified Contractor/Qualified Contractor Firm?

Answer: The Local Government is required to create the registry for the Qualified Contractors / Firms. Once created, HB 927 does not provide for any direct Local Governments oversight of qualified contractors once they are added to the registry. Each local government may want to consider creating an application or procurement process for Qualified Contractors/Firms. This includes a renewal process, as well as a revocation process for Qualified Contractors or Qualified Contractor Firms found to be derelict in their reapplication consulting and technical review services.

Question: Are the communications between Qualified Contractors/ Firms and applicants public records?

Answer: This question would likely be resolved through litigation, but a stance against open records would be a difficult position for a government entity to support. The Court would consider a variety of factors including public records disputes are resolved in favor of open records, the fact that Qualified Contractors/Firms are paid by the applicant, and that Qualified Contractors/Firms are intended to "supplement the local government's staff resources in ways determined by the governing body...."

Question: Are Qualified Contractors/ Firms determinations attributable to the Local Government?

Answer: It is unclear whether any Qualified Contractors'/Firms' determinations become lawfully attributable to the Local Government. Issues such as this may underscore each Local Government's need to consider if relevant defensive contract terms may be drafted to better defend the Local Government's interests under any Qualified Contractors/ Firms agreement.

Question: What can staff do if the Qualified Contractors/Firms misapply the applicable standards?

Answer: Local Government staff may only confirm receipt of an application once submitted by a Qualified Contractors/Firms and verify completeness through a written notification within five (5) days of submittal. The applicant has thirty (30) days to correct deficiencies "by submitting the required information." At that point, the application must

be processed and approved, approved with conditions, or denied. Although a re-review of the application is not permitted, the Local Government retains the right to deny applications, or approve with conditions, if the Qualified Contractor or Qualified Contractor Firm used by the applicant makes an error within the application. The Applicant, residents, or any other affected party would retain all currently existing rights to appeal or challenge the approval or denial of an application once the final determination is made by the Local Government.

Question: My municipality has a similar program already in place, so do we have to comply with HB 927?

Answer: Existing programs may continue to exist, however, a HB 927 compliant program must be implemented by January 1, 2027. If this deadline passes without a compliant Qualified Contractors or Qualified Contractor Firm Registry in place, an applicant can essentially pick their own Qualified Contractors or Qualified Contractor Firm to assist with the preapplication review process until a compliant program is in place. It should be noted that some qualifying local governments are contemplating accepting this process in lieu of creating a registry and allowing any statutorily permitted Qualified Contractors or Qualified Contractor Firm to submit applications.