



LEGISLATIVE BRIEF · 2026 FLORIDA SESSION

# Are Building Permits Still Required in Flood Hazard Areas?

Florida CS/CS/HB 803 — *Building Permits & Inspections*



## Yes — permits are still required in flood hazard areas.

HB 803 creates two new building-permit exemptions for single-family homes, but **both explicitly exclude properties in a flood hazard area**. In a Special Flood Hazard Area (SFHA), nothing changes: a permit is still required.

## What HB 803 changes

The bill directs local governments to waive the building-permit requirement in two narrow situations for single-family dwellings — and then carves flood hazard areas out of each waiver.

### EXEMPTION I

#### Minor work under \$7,500

Local governments **shall exempt** an owner (or their contractor) from pulling a permit for work valued at **less than \$7,500** on the owner's property.

**X Does not apply** to work on property partially or entirely in a flood hazard area. (Also excludes electrical, plumbing, structural, mechanical & gas work.)

### EXEMPTION II

#### Temporary flood & hurricane barriers

Local governments **shall exempt** the owner/contractor from a permit to install **temporary residential hurricane and flood protection walls or barriers** (non-load-bearing, licensed contractor, code-compliant).

**X Does not apply** to work on property partially or entirely in a flood hazard area.

## The flood-zone carve-out, in the bill's own words

*"The exemption ... does not apply to ... work on a property that is partially or entirely located in a **flood hazard area as defined by the Florida Building Code.**"*

— CS/CS/HB 803, permit-exemption paragraphs (g) & (h), amending §553.79, Fla. Stat.

## "Flood hazard area" vs. "SFHA" — a terminology note

**Same practical footprint.** The bill uses *"flood hazard area as defined by the Florida Building Code,"* not FEMA's literal term *Special Flood Hazard Area*. But the FBC flood hazard area is land subject to the 1%-annual-chance (base) flood — i.e., the SFHA shown on FEMA FIRMs (Zones A, AE, V, VE). A property in an SFHA is in a "flood hazard area" for this law, so neither exemption reaches it.

**Also preserved:** even where a private provider handles plan review, the local building official still reviews for compliance with **floodplain management regulations** (paragraph (8)(a)). Local flood oversight is not waived.

Source: Florida CS/CS/HB 803, Engrossed 2 (Enrolled), 2026 Legislature — an act relating to building permits and inspections; amends §553.79, Florida Statutes.

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