

**Tab 1**    **SB 420** by **Yarborough**; Identical to H 01571 Official Actions of Local Governments

433986    D        S        LRCS        CA, Yarborough        Delete everything after    03/18 03:59 PM

**Tab 2**    **SB 784** by **Ingoglia**; Identical to H 00381 Issuance of an Address and an Individual Parcel Identification Number

821174    D        S        RCS        CA, Ingoglia        Delete everything after    03/18 04:38 PM

**Tab 3**    **SB 1080** by **McClain**; Similar to H 00579 Local Government Land Regulation

**Tab 4**    **SB 1118** by **McClain**; Identical to H 01209 Land Use and Development Regulations

632862    D        S        RCS        CA, McClain        Delete everything after    03/19 02:36 PM

205334    AA       S        RCS        CA, McClain        Delete L.191 - 566:        03/19 02:36 PM

**Tab 5**    **SB 1134** by **Calatayud**; Similar to H 01071 Alternative Plans Review and Inspections

737696    A        S        LRCS        CA, Calatayud        Delete L.83:                03/18 03:54 PM

**Tab 6**    **SB 1188** by **McClain**; Similar to CS/H 00569 Local Governing Authorities

**Tab 7**    **SB 1260** by **Yarborough**; Identical to H 07007 County Constitutional Officer Budget Processes

**Tab 8**    **SB 1738** by **Ingoglia**; Identical to H 00203 Transportation Concurrency

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**COMMUNITY AFFAIRS**  
**Senator McClain, Chair**  
**Senator Fine, Vice Chair**

**MEETING DATE:** Monday, March 17, 2025  
**TIME:** 4:00—6:00 p.m.  
**PLACE:** *Mallory Horne Committee Room, 37 Senate Building*

**MEMBERS:** Senator McClain, Chair; Senator Fine, Vice Chair; Senators Jones, Leek, Passidomo, Pizzo, Sharief, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 420</b> Yarborough (Identical H 1571)	Official Actions of Local Governments; Prohibiting counties and municipalities, respectively, from taking official action as it relates to diversity, equity, and inclusion; providing a penalty; authorizing a cause of action against counties and municipalities, respectively, that take such action, etc.  CA 03/17/2025 Fav/CS JU RC	Fav/CS Yeas 5 Nays 3
2	<b>SB 784</b> Ingoglia (Identical H 381)	Issuance of an Address and an Individual Parcel Identification Number; Requiring the appropriate governing body to issue, within a specified time after the recording of the plat, certain information, etc.  CA 03/17/2025 Fav/CS JU RC	Fav/CS Yeas 8 Nays 0
3	<b>SB 1080</b> McClain (Similar H 579, Compare H 1561)	Local Government Land Regulation; Requiring counties to meet specified requirements regarding the minimum information necessary for certain applications; prohibiting counties from limiting the number of quasi-judicial or public hearings held each month in certain circumstances; revising the expedited state review process for adoption of comprehensive plan amendments; requiring municipalities to meet specified requirements regarding the minimum information necessary for certain applications; prohibiting municipalities from limiting the number of quasi-judicial or public hearings held each month in certain circumstances, etc.  CA 03/17/2025 Favorable JU RC	Favorable Yeas 6 Nays 2

**COMMITTEE MEETING EXPANDED AGENDA**

Community Affairs

Monday, March 17, 2025, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1118</b> McClain (Identical H 1209, Compare H 943, H 983, S 368)	Land Use and Development Regulations; Deleting language authorizing the owner of an agricultural enclave to apply for a comprehensive plan amendment; requiring a supermajority vote for the adoption of certain comprehensive plans and plan amendments; requiring that local land development regulations establish by a specified date minimum lot sizes within certain zoning districts to accommodate the authorized maximum density; specifying that certain parcels may be subject to a recreational covenant and that certain recreational facilities and amenities are not a part of a common area, etc.  CA 03/17/2025 Fav/CS RI RC	Fav/CS Yeas 5 Nays 3
5	<b>SB 1134</b> Calatayud (Similar H 1071)	Alternative Plans Review and Inspections; Requiring that a notice of private inspection services specify whether any scheduled inspection by a private provider will be conducted virtually or in person; authorizing a private provider to use an automated or software-based plans review system designed to make specific determinations; requiring the local building official to issue the requested permit or provide written notice of noncompliance within a specified timeframe for permits related to single-trade plans reviews for single-family or two-family dwellings, etc.  CA 03/17/2025 Fav/CS RI RC	Fav/CS Yeas 7 Nays 1
6	<b>SB 1188</b> McClain (Similar CS/H 569)	Local Governing Authorities; Providing that certain construction projects are exempt from concurrency; authorizing a local government to grant a construction project at a charter school an exemption from concurrency; providing a method for a developer to provide a certain contribution in lieu of paying an education impact fee; restricting building requirements that may be imposed by a local governing authority against a startup charter school, etc.  CA 03/17/2025 Favorable TR RC	Favorable Yeas 6 Nays 2

**COMMITTEE MEETING EXPANDED AGENDA**

Community Affairs

Monday, March 17, 2025, 4:00—6:00 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	<b>SB 1260</b> Yarborough (Identical H 7007)	County Constitutional Officer Budget Processes; Authorizing a supervisor of elections to file a budget appeal to the Administration Commission in a specified manner; requiring the Executive Office of the Governor to conduct a budget hearing in a specified manner and make findings and recommendations to the Administration Commission; authorizing a clerk of the circuit court to file a budget appeal in a specified manner; requiring the Executive Office of the Governor to conduct a budget hearing in a specified manner and make findings and recommendations to the Administration Commission, etc.  CA 03/17/2025 Favorable GO FP	Favorable Yeas 8 Nays 0
8	<b>SB 1738</b> Ingoglia (Identical H 203, S 1074)	Transportation Concurrency; Revising facilities required to be identified in the capital improvements element of a comprehensive plan that imposes transportation concurrency, etc.  CA 03/17/2025 Favorable TR RC	Favorable Yeas 8 Nays 0
9	Other Related Meeting Documents		

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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**BILL:** CS/SB 420

**INTRODUCER:** Community Affairs Committee and Senator Yarborough

**SUBJECT:** Official Actions of Local Governments

**DATE:** March 18, 2025      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	<b>Fav/CS</b>
2.	_____	_____	JU	_____
3.	_____	_____	RC	_____

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**Please see Section IX. for Additional Information:**  
COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 420 prohibits counties and municipalities from funding, promoting, or taking actions such as adopting ordinances, resolutions, rules, regulations, programs, or policies, related to diversity, equity, and inclusion. A county or municipality may not expend any funds, regardless of source, or establish, support, sustain, or staff a diversity, equity, and inclusion office or officer.

The bill provides that a member of a county or municipal governing body who violates the prohibitions commits misfeasance or malfeasance in office. An action in circuit court may be brought against a county or municipality that violates the bill’s provisions; the court may enter judgment awarding declaratory and injunctive relief, damages, costs, and reasonable attorney fees to a prevailing plaintiff. The bill does not prohibit official action required for compliance with general or federal law or regulation.

Further, the bill requires any potential recipient of a county or municipal contract or grant to certify before such award that they do not and will not use local government funds to require employees, contractors, volunteers, vendors, or agents to ascribe to, study, or be instructed using materials related to diversity, equity, and inclusion.

The bill takes effect December 31, 2025.

## II. Present Situation:

### Unlawful Discrimination in Florida

In 2019, Governor DeSantis reaffirmed the policy of non-discrimination in government employment and declared it the policy of his administration to prohibit discrimination in employment based on age, sex, race, color, religion, national origin, marital status, or disability.<sup>1</sup>

#### *Florida Civil Rights Act (Part I, Chapter 760, F.S.)*

The Florida Civil Rights Act (FCRA) of 1992 protects persons from discrimination based on race, color, religion, sex, pregnancy, national origin, age, handicap, and marital status.<sup>2</sup> The FCRA establishes the Florida Commission on Human Relations (the Commission) within the Department of Management Services.<sup>3</sup>

The Commission is empowered to receive, initiate, investigate, conciliate, hold hearings, and act upon complaints alleging discriminatory practices.<sup>4</sup> Additionally, the Attorney General may initiate a civil action for damages, injunctive relief, civil penalties of up to \$10,000 per violation, and other appropriate relief.<sup>5</sup>

### Local Ordinances

The governing body of a county or municipality has broad legislative powers to enact ordinances, local laws, to perform governmental functions and exercise power to promote the health, welfare, safety, and quality of life of a local government's residents. Ordinances address a wide variety of local issues, from government structure and zoning laws to speed limits and noise ordinances. Procedures for passing local ordinances are prescribed by the Legislature and differ only slightly between counties and municipalities.

### Local Government Authority

The Florida Constitution grants local governments broad authority to take actions furthering citizens' health, welfare, safety, and quality of life. This "home rule" authority includes legislative powers to enact local laws. Specifically, non-charter county governments may exercise those powers of self-government that are provided by general or special law.<sup>6</sup> Those counties operating under a county charter have all powers of local self-government not inconsistent with general law or special law approved by the vote of the electors.<sup>7</sup> Likewise, municipalities have those governmental, corporate, and proprietary powers that enable them to

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<sup>1</sup> Office of the Governor, *Executive Order Number 19-10*, Jan. 8, 2019 (Reaffirming Commitment to Diversity in Government).

<sup>2</sup> Section 760.01, F.S.

<sup>3</sup> Sections 760.03 and 760.04, F.S.

<sup>4</sup> Section 760.06(5), F.S.

<sup>5</sup> Section 760.021(1), F.S.

<sup>6</sup> FLA. CONST. art. VIII, s. 1(f).

<sup>7</sup> FLA. CONST. art. VIII, s. 1(g).

conduct municipal government, perform their functions and provide municipal services, and exercise any power for municipal purposes, except as otherwise provided by law.<sup>8</sup>

This authority, under the umbrella of governmental or municipal purpose, extends broadly to any ordinance necessary to promote the health, welfare, safety, and quality of life of a local government's residents.<sup>9</sup> Local governments' authority has been liberally construed when reviewed by courts. For example, courts have found the following to meet the standards for what constitutes a "municipal purpose," and therefore were valid local government actions:

- Acquisition and maintenance of a golf course;<sup>10</sup>
- Sale of souvenir photographs;<sup>11</sup> and
- Prohibiting the rental of motorized scooters.<sup>12</sup>

In general, this broad home rule authority is limited by two guideposts: preemption, where a higher level of government such as the State has already legislated on a topic, and standards of reasonableness. Local governments may not pass ordinances which are apparently arbitrary or unreasonable, despite their wide-ranging powers.<sup>13</sup> Anyone affected by an ordinance may challenge its validity in court by filing a civil action against the local government.<sup>14</sup>

### ***Preemption***

An ordinance can be declared invalid on the grounds that it is inconsistent with the State Constitution or Florida Statutes. Inconsistency may be found where a local ordinance is either preempted by or in conflict with the State Constitution or Florida Statutes.<sup>15</sup> Preemption means that a local government is precluded from exercising authority in a particular area, while conflict exists where a municipality has the right to act but such action frustrates the purpose of the state regulation.<sup>16</sup> Express preemption refers to instances where the Legislature has directly written into law that the State intends to occupy a field of law, prohibiting local governments from taking action in that field.<sup>17</sup>

### **Malfeasance or Misfeasance in Office**

Under Article IV, s. 7 of the State Constitution, the Governor is authorized to suspend from office by executive order any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official

<sup>8</sup> FLA. CONST. art. VIII, s. 2(b). *See also* s. 166.021(1), F.S.

<sup>9</sup> Art. VIII, § 2(b), Fla. Const.; Section 125.86, F.S.; for municipalities see *Quiles v. City of Boynton Beach*, 802 So. 2d 397, 398 (Fla. 4th DCA 2001); § 166.021, Fla. Stat.

<sup>10</sup> *West v. Town of Lake Placid*, 97 Fla. 127, 120 So. 361 (1929).

<sup>11</sup> *City of Winter Park v. Montesi*, 448 So. 2d 1242 (Fla. 5th DCA 1984).

<sup>12</sup> *Classy Cycles, Inc. v. Panama City Beach*, 301 So. 3d 1046 (Fla. 1st DCA 2019).

<sup>13</sup> *Dennis v. City of Key West*, 381 So. 2d 312 (Fla. 3d DCA 1980).

<sup>14</sup> *Hardage v. City of Jacksonville Beach*, 399 So. 2d 1077 (Fla. 1 DCA 1981). There are statutory requirements for being allowed to bring suit in certain cases, such as those based on a technical deficiency in the ordinance, but the cases at issue in this analysis merely require being affected.

<sup>15</sup> *City of Jacksonville v. American Environmental Services Inc.*, 699 So. 2d 255 (Fla. 1st DCA 1997).

<sup>16</sup> *Id.*

<sup>17</sup> *See, e.g.*, s. 790.33, F.S. "... the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition..."

duties, or commission of a felony. The Governor may temporarily appoint someone to fill the office during the suspension and may choose to reinstate the suspended officer.<sup>18</sup> The Senate has the authority to remove from office or reinstate the suspended officer in proceedings prescribed by law and may convene a special session for such purpose.<sup>19</sup>

In reference to municipal officers, the State Constitution only authorizes the Governor to suspend municipal officers indicted for crime, unless such power is vested in law or a municipal charter.<sup>20</sup> Section 112.51, F.S., provides that the Governor may by executive order suspend from office any elected or appointed municipal official for malfeasance, misfeasance, neglect of duty, habitual drunkenness, incompetence, or permanent inability to perform official duties. The Governor may temporarily fill the office during the suspension.<sup>21</sup> If the municipal officer is convicted of any of the charges contained in the indictment or information by reason of which he or she was suspended, the Governor must remove the official from office.<sup>22</sup> If the municipal official is acquitted, found guilty, or otherwise cleared of the charges, the Governor must revoke the suspension.<sup>23</sup>

### III. Effect of Proposed Changes:

**Sections 1 and 2** create ss. 125.595 and 166.04971, F.S., to prohibit counties and municipalities, respectively, from funding, promoting, or taking actions, such as adopting ordinances, resolutions, rules, regulations, programs, or policies, related to diversity, equity, and inclusion. A county or municipality may not expend any funds, regardless of source, or establish, support, sustain, or staff a diversity, equity, and inclusion office or officer.

“Diversity, equity, and inclusion” is defined as any effort to:

- Manipulate or otherwise influence the composition of employees with reference to race, color, sex, or ethnicity, other than to ensure that hiring is conducted in accordance with state and federal antidiscrimination laws;
- Promote or provide differential or preferential treatment or special benefits to a person or group based on that person’s or group’s race, color, sex, ethnicity, gender identity, or sexual orientation; or
- Promote or adopt training, programming, or activities designed or implemented with reference to race, color, sex, ethnicity, gender identity, or sexual orientation.

The term does not include the use of equal opportunity or equal employment opportunity materials designed to inform a person about the prohibition against discrimination based on protected status under state or federal law.

“Diversity, equity, and inclusion office” is defined as any office, division, department, agency, center, or other unit of a local government which coordinates, creates, develops, designs,

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<sup>18</sup> FLA. CONST. art. IV, s. 7.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> Section 112.51(3), F.S.

<sup>22</sup> Section 112.51(5), F.S.

<sup>23</sup> Section 112.51(6), F.S.

implements, organizes, plans, or promotes policies, programming, training, practices, meetings, activities, procedures, or similar actions related to diversity, equity, and inclusion.

“Diversity, equity, and inclusion officer” is defined as a person who is a full-time or part-time employee of, or an independent contractor contracted by, a local government, whose duties cover the same fields as the office described above.

The bill provides that a member of a county or municipal governing body who violates the prohibitions commits misfeasance or malfeasance in office. An action in circuit court may be brought against a county or municipality that violates the bill’s provisions; the court may enter judgment awarding declaratory and injunctive relief, damages, costs, and reasonable attorney fees to a prevailing plaintiff.

The provisions do not prohibit official action required for compliance with general or federal law or regulation. These sections do not apply to the actions of an appointed board or commission composed of nonelected volunteers, or basic administrative support provided to such a board, unless such support is provided by a government employee whose sole function is such support.

**Section 3** creates s. 287.139, F.S., to provide that any potential recipient of a county or municipal contract or grant must certify before such award that they do not and will not use local government funds to require employees, contractors, volunteers, vendors, or agents to ascribe to, study, or be instructed using materials related to diversity, equity, and inclusion, as defined above.

The bill takes effect December 31, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates the following sections of the Florida Statutes: 125.595, 166.04971, and 287.139.

**IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Community Affairs on March 17, 2025:**

The committee substitute:

- Revises definitions in the bill to include DEI “offices” and “officers.”
- Broadens the preemption to include funding DEI related activities and funding or maintaining DEI offices and officers.
- Introduces a new section requiring any potential recipient of a county or municipal contract or grant to certify before such award that they do not and will not use local government funds to require employees, contractors, volunteers, vendors, or agents to ascribe to, study, or be instructed using materials related to DEI.
- Removes retroactive application of the bill.
- Changes the effective date from July 1, 2025, to December 31, 2025.

## B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2025	.	
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The Committee on Community Affairs (Yarborough) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 125.595, Florida Statutes, is created to  
read:

125.595 Prohibition of official actions of counties  
relating to diversity, equity, and inclusion; penalty; remedy.-

(1) For purposes of this section, the term:

(a) "Diversity, equity, and inclusion" means any effort to:



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11 1. Manipulate or otherwise influence the composition of  
12 employees with reference to race, color, sex, or ethnicity,  
13 other than to ensure that hiring is conducted in accordance with  
14 state and federal antidiscrimination laws;

15 2. Promote or provide differential or preferential  
16 treatment or special benefits to a person or group based on that  
17 person's or group's race, color, sex, ethnicity, gender  
18 identity, or sexual orientation; or

19 3. Promote or adopt training, programming, or activities  
20 designed or implemented with reference to race, color, sex,  
21 ethnicity, gender identity, or sexual orientation.

22  
23 The term does not include the use of equal opportunity or equal  
24 employment opportunity materials designed to inform a person  
25 about the prohibition against discrimination based on protected  
26 status under state or federal law.

27 (b) "Diversity, equity, and inclusion office" means any  
28 office, division, department, agency, center, or other unit of a  
29 county which coordinates, creates, develops, designs,  
30 implements, organizes, plans, or promotes policies, programming,  
31 training, practices, meetings, activities, procedures, or  
32 similar actions relating to diversity, equity, and inclusion.

33 (c) "Diversity, equity, and inclusion officer" means a  
34 person who is a full-time or part-time employee of, or an  
35 independent contractor contracted by, a county whose duties  
36 include coordinating, creating, developing, designing,  
37 implementing, organizing, planning, or promoting policies,  
38 programming, training, practices, meetings, activities,  
39 procedures or similar actions relating to diversity, equity, and



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40 inclusion.

41 (2) A county may not fund or promote, directly or  
42 indirectly, or take any official action, including, but not  
43 limited to, the adoption or enforcement of ordinances,  
44 resolutions, rules, regulations, programs, or policies, as it  
45 relates to diversity, equity, and inclusion. Any such existing  
46 ordinances, resolutions, rules, regulations, programs, or  
47 policies are void.

48 (3) A county may not expend any funds, regardless of  
49 source, to establish, sustain, support, or staff a diversity,  
50 equity, and inclusion office or to employ, contract, or  
51 otherwise engage a person to serve as a diversity, equity, and  
52 inclusion officer.

53 (4) A county commissioner or other county official who  
54 violates this section commits misfeasance or malfeasance in  
55 office.

56 (5) An action in circuit court may be brought against a  
57 county that violates this section by a resident of the county.  
58 The court may enter a judgment awarding declaratory and  
59 injunctive relief, damages, and costs. The court may also award  
60 reasonable attorney fees to the prevailing party; however, the  
61 court may not award reasonable attorney fees to a county as the  
62 prevailing party.

63 (6) This section does not prohibit any official action by a  
64 county required for compliance with state or federal laws or  
65 regulations.

66 (7) This section does not apply to:

67 (a) The actions of an appointed county board or commission  
68 composed of nonelected volunteers; or



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69       (b) Basic administrative support provided to an appointed  
70 county board or commission composed of nonelected volunteers,  
71 unless such administrative support is provided by a county  
72 employee whose sole function is the provision of such  
73 administrative support.

74       Section 2. Section 166.04971, Florida Statutes, is created  
75 to read:

76       166.04971 Prohibition of official actions of municipalities  
77 relating to diversity, equity, and inclusion; penalty; remedy.—

78       (1) For purposes of this section, the term:

79       (a) "Diversity, equity, and inclusion" means any effort to:

80       1. Manipulate or otherwise influence the composition of  
81 employees with reference to race, color, sex, or ethnicity,  
82 other than to ensure that hiring is conducted in accordance with  
83 state and federal antidiscrimination laws;

84       2. Promote or provide differential or preferential  
85 treatment or special benefits to a person or group based on that  
86 person's or group's race, color, sex, ethnicity, gender  
87 identity, or sexual orientation; or

88       3. Promote or adopt training, programming, or activities  
89 designed or implemented with reference to race, color, sex,  
90 ethnicity, gender identity, or sexual orientation.

91  
92 The term does not include the use of equal opportunity or equal  
93 employment opportunity materials designed to inform a person  
94 about the prohibition against discrimination based on protected  
95 status under state or federal law.

96       (b) "Diversity, equity, and inclusion office" means any  
97 office, division, department, agency, center, or other unit of a



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98 municipality which coordinates, creates, develops, designs,  
99 implements, organizes, plans, or promotes policies, programming,  
100 training, practices, meetings, activities, procedures, or  
101 similar actions relating to diversity, equity, and inclusion.

102 (c) "Diversity, equity, and inclusion officer" means a  
103 person who is a full-time or part-time employee of, or an  
104 independent contractor contracted by, a municipality whose  
105 duties include coordinating, creating, developing, designing,  
106 implementing, organizing, planning, or promoting policies,  
107 programming, training, practices, meetings, activities,  
108 procedures or similar actions relating to diversity, equity, and  
109 inclusion.

110 (2) A municipality may not fund or promote, directly or  
111 indirectly, or take any official action, including, but not  
112 limited to, the adoption or enforcement of ordinances,  
113 resolutions, rules, regulations, programs, or policies, as it  
114 relates to diversity, equity, and inclusion. Any such existing  
115 ordinances, resolutions, rules, regulations, programs, or  
116 policies are void.

117 (3) A municipality may not expend any funds, regardless of  
118 source, to establish, sustain, support, or staff a diversity,  
119 equity, and inclusion office or to employ, contract, or  
120 otherwise engage a person to serve as a diversity, equity, and  
121 inclusion officer.

122 (4) Any member of the governing body of a municipality or  
123 other municipal official who violates this section commits  
124 misfeasance or malfeasance in office.

125 (5) An action in circuit court may be brought against a  
126 municipality that violates this section by a resident of the



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127 municipality. The court may enter a judgment awarding  
128 declaratory and injunctive relief, damages, and costs. The court  
129 may also award reasonable attorney fees to the prevailing party;  
130 however, the court may not award reasonable attorney fees to a  
131 municipality as the prevailing party.

132 (6) This section does not prohibit any official action by  
133 the governing body of a municipality required for compliance  
134 with state or federal laws or regulations.

135 (7) This section does not apply to:

136 (a) The actions of an appointed municipal board or  
137 commission composed of nonelected volunteers; or

138 (b) Basic administrative support provided to an appointed  
139 municipal board or commission composed of nonelected volunteers,  
140 unless such administrative support is provided by a municipal  
141 employee whose sole function is the provision of such  
142 administrative support.

143 Section 3. Section 287.139, Florida Statutes, is created to  
144 read:

145 287.139 Prohibition against using diversity, equity, and  
146 inclusion material.—A potential recipient of a county or  
147 municipal contract or grant shall certify to the county or  
148 municipality, as applicable, before being awarded such contract  
149 or grant that the potential recipient does not and will not use  
150 county or municipal funds in requiring its employees,  
151 contractors, volunteers, vendors, or agents to ascribe to,  
152 study, or be instructed using materials relating to diversity,  
153 equity, and inclusion as defined in ss. 125.595(1) and  
154 166.04971(1).

155 Section 4. This act shall take effect December 31, 2025.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to official actions of local  
governments; creating ss. 125.595 and 166.04971, F.S.;  
defining terms; prohibiting counties and  
municipalities, respectively, from funding or  
promoting or taking official action as it relates to  
diversity, equity, and inclusion; prohibiting counties  
and municipalities, respectively, from expending funds  
for diversity, equity, and inclusion offices or for  
diversity, equity, and inclusion officers; providing  
that certain ordinances, resolutions, rules,  
regulations, programs, and policies are void;  
providing that a county commissioner, a member of the  
governing body of a municipality, or any other county  
or municipal official who violates certain provisions  
commits misfeasance or malfeasance in office;  
authorizing a cause of action against counties and  
municipalities, respectively, under certain  
circumstances; providing construction and  
applicability; creating s. 287.139, F.S.; requiring  
potential recipients of county and municipal contracts  
and grants to make a certain certification to the  
county or municipality before being awarded such  
contract or grant; providing an effective date.

By Senator Yarborough

4-01682B-25

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1                   A bill to be entitled  
2           An act relating to official actions of local  
3           governments; creating ss. 125.595 and 166.04971, F.S.;  
4           prohibiting counties and municipalities, respectively,  
5           from taking official action as it relates to  
6           diversity, equity, and inclusion; providing a penalty;  
7           authorizing a cause of action against counties and  
8           municipalities, respectively, that take such action;  
9           providing construction; providing for retroactive  
10          applicability; defining the term "diversity, equity,  
11          and inclusion"; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15           Section 1. Section 125.595, Florida Statutes, is created to  
16          read:

17           125.595 Prohibition of official actions of counties  
18          relating to diversity, equity, and inclusion; penalty; remedy.-

19           (1) A county may not take any official action, including,  
20          but not limited to, the adoption of ordinances, resolutions,  
21          rules or regulations, programs, or policies, as it relates to  
22          diversity, equity, and inclusion.

23           (2) A county commissioner who violates subsection (1), or  
24          who votes in favor of an ordinance to expand the powers or  
25          authority of an existing office, special district, or  
26          governmental unit for the purpose of exercising any power or  
27          authority allocated exclusively by the State Constitution or  
28          general law to take official action as it relates to diversity,  
29          equity, and inclusion, is guilty of misfeasance or malfeasance

4-01682B-25

2025420\_\_

30 in office.

31 (3) An action in circuit court may be brought against a  
32 county that violates this section by a resident of the county.  
33 The court may enter a judgment awarding declaratory and  
34 injunctive relief, damages, and costs. The court may also award  
35 reasonable attorney fees to the prevailing party; however, the  
36 court may not award reasonable attorney fees to a county as the  
37 prevailing party.

38 (4) This section does not prohibit any official action by a  
39 county required for compliance with general or federal laws or  
40 regulations.

41 (5) This section applies retroactively to all official  
42 actions taken by a county before July 1, 2025.

43 (6) For purposes of this section, the term "diversity,  
44 equity, and inclusion" means any ordinance or policy that  
45 classifies an individual on the basis of race, color, sex,  
46 national origin, gender identity, or sexual orientation and  
47 promotes deferential or preferential treatment of individuals on  
48 the basis of such classification.

49 Section 2. Section 166.04971, Florida Statutes, is created  
50 to read:

51 166.04971 Prohibition of official actions of municipalities  
52 relating to diversity, equity, and inclusion; penalty; remedy.-

53 (1) A municipality may not take any official action,  
54 including, but not limited to, the adoption of ordinances,  
55 resolutions, rules or regulations, programs, or policies, as it  
56 relates to diversity, equity, and inclusion.

57 (2) Any member of the governing body of a municipality who  
58 violates subsection (1), or who votes in favor of an ordinance

4-01682B-25

2025420\_\_

59 to expand the powers or authority of an existing office, special  
60 district, or governmental unit for the purpose of exercising any  
61 power or authority allocated exclusively by the State  
62 Constitution or general law to take official action as it  
63 relates to diversity, equity, and inclusion, is guilty of  
64 misfeasance or malfeasance in office.

65 (3) An action in circuit court may be brought against a  
66 municipality that violates this section by a resident of the  
67 municipality. The court may enter a judgment awarding  
68 declaratory and injunctive relief, damages, and costs. The court  
69 may also award reasonable attorney fees to the prevailing party;  
70 however, the court may not award reasonable attorney fees to a  
71 municipality as the prevailing party.

72 (4) This section does not prohibit any official action by  
73 the governing body of a municipality required for compliance  
74 with general or federal laws or regulations.

75 (5) This section applies retroactively to all official  
76 actions taken by the governing body of a municipality before  
77 July 1, 2025.

78 (6) For purposes of this section, the term "diversity,  
79 equity, and inclusion" means any ordinance or policy that  
80 classifies an individual on the basis of race, color, sex,  
81 national origin, gender identity, or sexual orientation and  
82 promotes deferential or preferential treatment of individuals on  
83 the basis of such classification.

84 Section 3. This act shall take effect July 1, 2025.



The Florida Senate

## Committee Agenda Request

**To:** Senator Stan McClain, Chair  
Committee on Community Affairs

**Subject:** Committee Agenda Request

**Date:** March 8, 2025

---

I respectfully request that **Senate Bill #420**, relating to Official Actions of Local Governments, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in blue ink that reads "Clay Yarborough".

\_\_\_\_\_  
Senator Clay Yarborough  
Florida Senate, District 4

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB420

Bill Number or Topic

433 986

Amendment Barcode (if applicable)

3/17/2025

Meeting Date

Community Affairs

Committee

Name BRIAN FLAGER

Phone 850-980-2255

Address 8000 A1A SOUTH #407

Email brianflager@gmail.com

Street

ST AUGUSTINE FL 32080

City

State

Zip

Speaking:  For  Against  Information

OR

Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03/17/25

Meeting Date

SB420

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

433986

Amendment Barcode (if applicable)

Name Shawna Flager

Phone 850 933 8716

Address 8000 ALA S. Unit 407

Street

Email shawna.sng@gmail.com

St. Augustine FL 32080

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. 511.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/25

The Florida Senate

APPEARANCE RECORD

SB 420

Meeting Date  
Community Affairs

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic  
433 486

Committee

Amendment Barcode (if applicable)

Name Jeffrey Fox

Phone 904 810 8907

Address 226 Churchill Dr.

Email jefffox67@gmail.com

Street  
St. Augustine FL 32086  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB 420  
Bill Number or Topic

March 17, 2025  
Meeting Date

S. Community Affairs  
Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Dr. Sonia Howman Phone \_\_\_\_\_

Address 101 N. Monroe St Email \_\_\_\_\_  
Street

Tallahassee, FL 32301  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

<input checked="" type="checkbox"/> I am appearing without compensation or sponsorship.	<input type="checkbox"/> I am a registered lobbyist, representing:	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
---	--	---

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/25

Meeting Date

# The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 420

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Jeff Nail

Phone

Address

413 Wandoick St

Email

Street

Gulf Breeze Fl 32561

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/17/2025

Meeting Date

SB 420

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Colton Taylor

Phone

Address

3705 Dorset Way

Email

Street

Tallahassee

FL

32303

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

March 17, 2025  
Meeting Date

SB 420  
Bill Number or Topic

S. Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Jon Harris Maurer Phone 954-494-1863

Address P.O. Box 13184 Email jonharris@equalityflorida.org  
Street

St. Petersburg FL 33733  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Equality Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate

APPEARANCE RECORD

SB400

03/17/25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Matthew Grocholske

Phone

Address 2702 Lee Rd

Email

Street

Winter Park

State

Zip

FL 32789

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/2025

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Mia Faucher

Phone \_\_\_\_\_

Address 1422 E. Frisson Ave.

Email \_\_\_\_\_

Street

Tampa

City

FL

State

33603

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenote.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name

John Labriola

Phone

954-515-2084

Address

PO Box 650216

Email

John.Labriola@cfaflorida.net

Street

Miami

FL

33265

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Christian Family Coalition Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB420

Bill Number or Topic

4/17/2025

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Thomas K. Holdcraft

Phone 850-303-3218

Address 2948 Tipperary Dr.

Email tnholdcraft@gmail.com

Tallahassee, FL 32309

Street

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

3/17/25

Meeting Date

SB 420

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Carol Cleaver

Phone

Address

2300 Magnolia Ave

Email

Street

Pensacola FL 32503

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/2025  
Meeting Date

# The Florida Senate APPEARANCE RECORD

SB 420  
Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Dianne Williams-Cox

Phone \_\_\_\_\_

Address 2312 Mavis Circle

Email \_\_\_\_\_

Tall  
City

F  
State

32307  
Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03/17/25

Meeting Date

SB 920

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Community Affairs

Committee

Amendment Barcode (if applicable)

Name ~~DEBU~~ Echo Nava

Phone 904-625-8188

Address 1812 Vista Lakes Dr.  
Street

Email quantisedecho@gmail.com

Fleming Island FL 32003  
City State Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25  
Meeting Date

SB 420  
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Wendi McFarland

Phone 407-808-1317

Address 711 Siena Palm Dr.

Email wwhiteach5@gmail

Street  
Celebration FL 34747  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

420

3/17/25

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

2025-2026 Appropriations

Committee

Amendment Barcode (if applicable)

Name

Douglas DeLand

Phone

407 224-6408

Address

6278 Almar Drive

Email

dcdeland@att.net

Street

104 Orlando, FL

City

State

Zip

Orlando FL 32835

Speaking:

For



Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/2025

Meeting Date

Community Affairs

Committee

SB 420

Bill Number or Topic

Amendment Barcode (if applicable)

Name Maxx Fenning

Phone (561) 221-8809

Address 1327 Partridge Close  
Street

Email maxx.fenning@prismfl.org

Pompano Beach  
City

FL  
State

33064  
Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:  
PRISM

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenote.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB420

Bill Number or Topic

Comm

Committee

Amendment Barcode (if applicable)

Name Rev. CRAIG CRANSTON

Phone 727 517 5758

Address 3049 Mc Gregor Blvd

Email RevCRAIG@STAMCC.COM

Street

FT MYERS FL 33901

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 420

Bill Number or Topic

Amendment Barcode (if applicable)

3/17/25

Meeting Date

Committee

Name Dr. Amy Perwien

Phone

Address

Street

Naples

City

FL

State

34119

Zip

Email

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
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SB 420

Bill Number or Topic

3/17/2025

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Ash Bradley

Phone

Address 7114 Lawnview Ct

Email

Street

Tampa

FL

33615

City

State

Zip

Speaking:

For



Against

Information

**OR**

Waive Speaking:

In Support

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-17-25

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name

Yerimiah Evans

Phone

321-315-0995

Address

1510 Althea Gibson Way

Email

Y.Ruiz.Evans@gmail.com

Street

Tallahassee

City

Tallahassee

State

Florida

Zip

32307

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Vance Ahrens

Phone

Address 2909 W New Haven Ave #365

Email

Street

W Melbourne

FL

32904

City

State

Zip

Speaking:

For



Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Jules Rayne

Phone

Address 101 N Monroe St

Email

Street

Tallahassee FL

32301

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. 511.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB420

Bill Number or Topic

Com. Affairs

Committee

Amendment Barcode (if applicable)

Name Aaron DiPietro

Phone 904-608-4471

Address P.O. Box 530103

Email aaron.d@flfamily.org

Street

Orlando

City

FL

State

32853

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Family Voice

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Sb 420

17 MARCH 25

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Nolan Wilson

Phone 850-591-3697

Address 2100 Corinne Street

Email

Tallahassee FL 32308

Street

City

State

Zip

Speaking: [ ] For [X] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB 420

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Miles Davis

Phone 239 443 8938

Address 1810 E. Palm Ave # 5213

Email Miles.davis@PrismFL.org

Street

Tampa FL

33605

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/2025

The Florida Senate

SB420

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

Meeting Date

COMM. AFFAIRS

Bill Number or Topic

~~127986~~

Committee

Amendment Barcode (if applicable)

Name

NATHAN BRUEMMER

Phone

Address

Street

GULFPORT

State

FL

Zip

33711

Email

SBRUEMMER@GMAIL.COM

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/17/25

Meeting Date

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

420

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Karen Woodall

Phone

850-321-9386

Address

579 E. Call St.

Email

fefe@yahoo.com

Street

Tallahassee, FL

32301

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Center for Fiscal & Economic Policy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/25

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB 420

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name AVELIA PERKINS

Phone 909-262-8407

Address 9470 SW 99th Ct. #

Email \_\_\_\_\_

Dcala FL 34481  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

March 17 2025 Meeting Date

SB 420 Bill Number or Topic

Community Affairs Committee

Amendment Barcode (if applicable)

Name Ann Vander Meer Phone 850-321-8620

Address 3006 Aron Circle Street

Tallahassee FL 32312 City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB420

Bill Number or Topic

3/17/25

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name

Francine Julius Edwards

Phone

352-562-0514

Address

9825 SE 140th St

Email

Khamilah42@yahoo.com

Street

Summerfield FL 34491

City

State

Zip

Speaking:

For



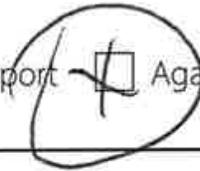
Against

Information

OR

Waive Speaking:

In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3.17.25

Meeting Date

420

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Tabitha Hunter

Phone 941-730-4552

Address 3102 Bougainvillea St

Email thunter@lbew915.org

Street

Sarasota FL 34239

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

03/17/2025

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Jandra J Plumadore

Phone 352-212-0001

Address 927 Cedar Ave

Street

Email cpagram@yahoo.com

Inverness, FL 34457

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

March 17, 2025

Meeting Date

SB 720

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Deborah Daniels

Phone 352-476-1213

Address 9312 SW 97th Pl

Street

Email danielsdeb50@gmail.com

Ocala FL

City

State

34481

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3.17.25

Meeting Date

SB 420

Bill Number or Topic

SB 420

Committee

Amendment Barcode (if applicable)

Name Zahira Pena-Andino

Phone 407-414-2222

Address 1254 Hancock Cr

Email zahira2473@yahoo.com

Street

St. Cloud FL 34769

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25

Meeting Date

420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Tessa Benton

Phone 850-566-7553

Address 1978 Chatsworth Way  
Street

Email tessakbenton@comcast.net

Tallahassee

City

FL

State

32309

Zip

Speaking:  For  Against  Information

OR

Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

420

3-17-25

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Barbara Delane

Phone 850-251-4280

Address 625 E. Breward St

Email bdelane1@

Tallahassee FL 32308

Street

City

State

Zip

shoo.com

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

FL NOW

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/27

Meeting Date

420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Julie A Kent

Phone 321-662-2596

Address 4498 Twinview lane

Email julie@kent@gmail.com

Street

Orlando

FL

32814

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/2025

Meeting Date

SB 420

Bill Number or Topic

COMMUNITY AFFAIRS

Committee

Amendment Barcode (if applicable)

Name JONATHAN WEBBER

Phone 954-553-4449

Address 400 Washington Ave

Email JONATHAN.Webber@spkcenter.org

Street

Montgomery

City

AL

State

36104

Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

Southern Poverty Law Center

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flisenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 420

Bill Number or Topic

03/17/25

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone

Address

Email

Street

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing: Florida Rising

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

420

March 17, 2025

Meeting Date

Bill Number or Topic

Community Affairs

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Pamela Burch Fort

Phone 850-425-1344

Address 104 S. Monroe Street

Email TcgLobby@aol.com

Street

Tallahassee

FL

32301

City

State

Zip

**Reset Form**

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

**NAACP Florida State Conference**

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB 420

Bill Number or Topic

S. Community Affairs

Committee

Amendment Barcode (if applicable)

Name Stratton Pollitzer

Phone 954-682-6094

Address P.O. Box 13184  
Street

Email straton@equalityflorida.org

St Petersburg FL 33733  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3-17-25

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 420

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Christa Moody Phone \_\_\_\_\_

Address 1308 E. Belmont St. Email \_\_\_\_\_

Street

Pensacola, FL. 32501

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-17-25

Meeting Date

SB 420

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Abdelilah Skhir

Phone 786-363-1660

Address 4343 W Flagler St Ste 400

Email askhir@acluf1.org

Street

Miami

City

FL

State

33134

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

ACLU of Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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03/17/25 Meeting Date

SB 420 Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Wm Scott Turner

Phone 727 808 0850

Address 128 Shore Drive Place Street

Email Joeskateboard@gmail.com

Oldsmar FL 34677 City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

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3/17/2025 Meeting Date

SB 420 Bill Number or Topic

Community Affairs Committee

Amendment Barcode (if applicable)

Name Yenisbel Vilorio Phone

Address Street Email

City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [ ] I am appearing without compensation or sponsorship. [x] I am a registered lobbyist, representing: Six Action [ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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3.17.25

Meeting Date

SB 420

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

LYNN BRICKLER

Phone

850-567-0828

Address

2607 MAYFIELD AVE

Email

LMVBRICKLER@GMAIL.COM

Street

TALLAHASSEE

FL

32308

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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Deliver both copies of this form to  
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3/17/25

Meeting Date

SB 420

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Sonya Walters

Phone

8034662209

Address

6600 Reigh Court Trail

Email

sonyaascott@gmail.com

Street

Tallahassee

City

FL

State

32309

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/2025

Meeting Date

Community Affairs

Committee

# The Florida Senate APPEARANCE RECORD

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SB 420

Bill Number or Topic

Banning DEI

Amendment Barcode (if applicable)

Name LISA JUANICH

Phone 867-377-0675

Address 3601 Kernan Blvd. S

Email l.olbesjuanich@gmail.com

Street

Jacksonville

City

FL

State

32224

Zip

Speaking:  For  Against  Information

**OR**

Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

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SB 420

Bill Number or Topic

3/17/25

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name

Sybil Fawc

Phone

904-403-6725

Address

3019 Laguna Dr.

Email

Sybil.fawc66@gmail.com

Street

Jacksonville, FL

32208

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3117125

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB420

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Jaron Sanchez Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Street

Cashberry FL 32707  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3-17-2025

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB420

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

S. Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Angelique Goodwin

Phone \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Street

Pensacola FL 32503

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

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SB 0420

Bill Number or Topic

4/3/17/2025

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Shevonne Clark

Phone

305 333 4154

Address 2010 Bulbow Circle

Email

sebrown4@yahoo.com

Street

Tampa

City

FL

State

33619

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 420

3/17/25

Meeting Date

Bill Number or Topic

S. Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name MARIAVICTORIA CHACON-BRICEÑO

Phone 786 867 5047

Address P.O. Box 13184

Street

Email MARVICCHABRI@GMAIL.COM

St. Petersburg FL

City

State

33733

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 420

Bill Number or Topic

3/17/25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

S. Community Affairs

Committee

Amendment Barcode (if applicable)

Name CHARLIE CRANSON

Phone 609-636-3006

Address P.O. Box 13184

Street

Email croyek18@gmail.com

St Petersburg FL

City

State

33733

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/17/25

Meeting Date

SB 420

Bill Number or Topic

S. Community Affairs

Committee

Amendment Barcode (if applicable)

Name Preston Scott

Phone 407-399-2394

Address P.O. Box 13184

Email

Street

St Petersburg FL

33733

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

SB 420

Bill Number or Topic

3/17/25

Meeting Date

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Community Affairs

Committee

Amendment Barcode (if applicable)

Name Hollie Hayes

Phone 321-300-8303

Address 1010 Rivercom Ave

Street

Email hayeshm@outlook.com

City Ori State FL Zip 32828

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Community Affairs

---

BILL: CS/SB 784

INTRODUCER: Community Affairs and Senator Ingoglia

SUBJECT: Issuance of an Address and an Individual Parcel Identification Number

DATE: March 18, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	Fav/CS
2.			JU	
3.			RC	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 784 provides that plat or replat submittals must be reviewed and approved administratively, and provides a timeline for such work.

The bill also provides that if the appropriate governing body fails to issue street and mailing addresses and individual parcel identification numbers within 2 weeks after a plat is recorded, an applicant may engage with a private provider to generate the information. If a private provider is used, the local government must verify the information and may not collect certain fees.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Platting**

In Florida law, “plat” means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable state requirements and of any local ordinances.<sup>1</sup> Generally, platting is required whenever a developer wishes to subdivide a large piece of property into smaller

---

<sup>1</sup> Section 177.031(14), F.S.

parcels and tracts. These smaller areas become the residential lots, streets and parks of a new residential subdivision.<sup>2</sup>

State law establishes consistent minimum requirements for the establishment of plats, and local governing bodies have the power to regulate and control the platting of lands.<sup>3</sup> Prior to approval by the appropriate governing body, the plat must be reviewed for conformity with state and local law and sealed by a professional surveyor and mapper who is either employed by or under contract to the local governing body.<sup>4</sup>

Before a plat is offered for recording with the clerk of the circuit court, it must be approved by the appropriate governing body, and evidence of such approval must be placed on the plat. If not approved, the governing body must return the plat to the professional surveyor and mapper or the legal entity offering the plat for recordation.<sup>5</sup>

Jurisdiction over plat approval is as follows:<sup>6</sup>

- When the plat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat.
- When a plat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat.
- When a plat lies within the boundaries of more than one governing body, two plats must be prepared and each governing body has exclusive jurisdiction to approve the plat within its boundaries, unless the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

Every plat of a subdivision offered for recording must have certain information, including providing:<sup>7</sup>

- The name of the plat in bold legible letters, and the name of the subdivision, professional surveyor and mapper or legal entity, and street and mailing address on each sheet.
- The section, township, and range immediately under the name of the plat on each sheet included, along with the name of the city, town, village, county, and state in which the land being platted is situated.
- The dedications and approvals by the surveyor and mapper and local governing body, and the circuit court clerk's certificate and the professional surveyor and mapper's seal and statement.
- All section lines and quarter section lines occurring within the subdivision. If the description is by metes and bounds, all information called for, such as the point of commencement, course bearings and distances, and the point of beginning. If the platted lands are in a land grant or are not included in the subdivision of government surveys, then the boundaries are to be defined by metes and bounds and courses.

---

<sup>2</sup> Harry W. Carls, Florida Condo & HOA Law Blog, May 17, 2018, *Why is a Plat so Important?*, <https://www.floridacondohoalawblog.com/2018/05/17/why-is-a-plat-so-important/> (last visited Mar. 11, 2025).

<sup>3</sup> Section 177.011, F.S.

<sup>4</sup> Section 177.081(1), F.S.

<sup>5</sup> Section 177.071(1) F.S.

<sup>6</sup> *Id.*

<sup>7</sup> Section 177.091, F.S.

- Location, width, and names of all streets, waterways, or other rights-of-way.
- Location and width of proposed easements and existing easements identified in the title opinion or property information report must be shown on the plat or in the notes or legend, and their intended use.
- All lots numbered either by progressive numbers or, if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.
- Sufficient survey data to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat.
- Designated park and recreation parcels.
- All interior excepted parcels clearly indicated and labeled “Not a part of this plat.”
- The purpose of all areas dedicated clearly indicated or stated on the plat.
- That all platted utility easements must provide that such easements are also easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services interferes with the facilities and services of an electric, telephone, gas, or other public utility.

### **Addresses and Parcel Identification Numbers**

Parcel identification numbers are the general method by which individual parcels are identified across a variety of governmental functions. Generally, identification numbers are assigned and maintained by the county’s property appraiser, rather than the local building code authority. Street addresses are typically intrinsic to the platting process.

A local government using a pre-platting process may work with appropriate local government agencies to issue an address and a temporary parcel identification number for lot lines and lot sizes based on the metes and bounds of the plat contained in the application.<sup>8</sup>

### **III. Effect of Proposed Changes:**

**Section 1** amends s. 177.071, F.S., to provide that plat or replat submittals must be reviewed and approved administratively by a designee or designees of the appropriate local governing body within 15 days. In that time, written comments specifying any noncompliance must be provided to the applicant. The submittal must ultimately be approved, approved with conditions, or denied within 30 working days from the submittal. An applicant may, and the governing body may not, request an extension of time.

**Section 2** creates s. 177.1115, F.S., to provide that if the appropriate governing body fails to issue street and mailing addresses and individual parcel identification numbers within 14 business days after a plat is recorded, an applicant may engage with a private provider, duly registered in this state, to generate the information in accordance with applicable local, state, and national standards.

---

<sup>8</sup> Section 177.073(5), F.S.

If a private provider is used, the local government must verify the information within 5 business days after receiving the submission. If the government fails to respond within 5 business days, the information is deemed to be in compliance as a matter of law.

The local governing body may not collect addressing fees if it fails to meet the 14 business day deadline for issuing address and parcel identification number.

The bill takes effect July 1, 2025.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The bill does not identify the type of individual, qualifications required, or applicable standards to act as a private provider for the purposes of issuing addresses and parcel identification numbers. Issuance of parcel identification numbers is traditionally a core function of property appraisers, county constitutional officers, whereas in other respects the applicable local government may be related to a municipality.

**VIII. Statutes Affected:**

This bill amends section 177.071 of the Florida Statutes.  
This bill creates section 177.1115 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on March 17, 2025:**

The committee substitute:

- Provides that, as opposed to reduction in fees, the failure to issue street and mailing addresses and parcel identification numbers will entitle the applicant to engage a private provider to create the required information.
- Requires plat and replat submittals be approved administratively and provides associated timeframes for which local governments must approve or deny such submissions, or specify non-compliance.

- B. **Amendments:**

None.



821174

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2025	.	
	.	
	.	
	.	

---

The Committee on Community Affairs (Ingoglia) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Present subsections (1) and (2) of section 177.071, Florida Statutes, are redesignated as subsections (2) and (3), respectively, and a new subsection (1) is added to that section, to read:

177.071 Approval of plat by governing bodies.—

(1) Plat or replat submittals shall be reviewed and



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11 approved administratively by a designee or designees of the  
12 appropriate local governing body. Within 15 days after receipt  
13 of a plat or replat submittal, the designee or designees of the  
14 appropriate local governing body shall review the plat or replat  
15 submittal for compliance with s. 177.091. If it is determined  
16 that such plat or replat submittal fails to meet the  
17 requirements of s. 177.091, written comments specifying the  
18 areas of noncompliance must be provided to the applicant within  
19 the 15-day review period. The plat or replat submittal must be  
20 approved, approved with conditions, or denied within 30 working  
21 days from the date that the plat or replat is submitted, unless  
22 a written extension of this timeframe is requested by the  
23 applicant and approved by the governing body. An official,  
24 employee, agent, or designee of the governing body may not  
25 request or require the applicant to file a written extension of  
26 time.

27 Section 2. Section 177.1115, Florida Statutes, is created  
28 to read:

29 177.1115 Issuance of address and an individual parcel  
30 identification number after final plat is recorded; private  
31 provider alternative; penalty.—

32 (1) Within 14 business days after the recordation of a plat  
33 by the circuit court clerk or other recording officer, the  
34 appropriate governing body shall issue the street and mailing  
35 address, along with the individual parcel identification number,  
36 as contained in the plat offered for recording pursuant to s.  
37 177.091.

38 (2) If the appropriate governing body does not issue the  
39 required street and mailing address, along with the individual



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40 parcel identification number, within the 14-business-day period  
41 prescribed in subsection (1), the applicant may engage a private  
42 provider, duly registered in this state, to create the required  
43 address and parcel identification number in accordance with  
44 applicable local, state, and national addressing standards.

45 (a) Upon completion, the private provider shall submit the  
46 assigned address and parcel identification number to the  
47 governing body for verification. The governing body must  
48 complete its verification process within 5 business days after  
49 receiving the submission.

50 (b) If the governing body fails to verify the submitted  
51 address and parcel identification number within 5 business days,  
52 the address assigned by the private provider must be deemed  
53 approved for all official purposes.

54 (3) The governing body may not collect an addressing fee if  
55 it fails to issue the required address and parcel identification  
56 number within the timeframes specified in this section.

57 Section 3. This act shall take effect July 1, 2025.

58  
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete everything before the enacting clause  
62 and insert:

63 A bill to be entitled  
64 An act relating to platting; amending s. 177.071,  
65 F.S.; requiring that plat or replat submittals be  
66 reviewed and approved administratively by a designee  
67 or designees of the appropriate local governing body;  
68 requiring such designee or designees to review such



821174

69 plat or replat submittal for compliance within a  
70 specified timeframe; requiring that written comments  
71 be provided to the applicant if the plat or replat  
72 submittal fails to meet specified requirements;  
73 requiring that the plat or replat submittal be  
74 approved, approved with conditions, or denied within a  
75 specified timeframe; providing an exception;  
76 prohibiting certain entities from requesting or  
77 requiring an applicant to file a written extension of  
78 time; creating s. 177.1115, F.S.; requiring the  
79 appropriate governing body, within a specified  
80 timeframe after the recordation of the plat, to issue  
81 certain information; authorizing an applicant to  
82 engage a specified private provider under certain  
83 circumstances; requiring that such provider submit  
84 specified information to the governing body for  
85 verification; requiring the governing body to complete  
86 verification within a specified timeframe; requiring  
87 that the information submitted by the provider is  
88 deemed approved if the governing body fails to verify  
89 it within the specified timeframe; prohibiting the  
90 governing body from collecting an addressing fee under  
91 certain circumstances; providing an effective date.

By Senator Ingoglia

11-00594-25

2025784\_\_

1 A bill to be entitled

2 An act relating to the issuance of an address and an  
3 individual parcel identification number; creating s.  
4 177.1115, F.S.; requiring the appropriate governing  
5 body to issue, within a specified time after the  
6 recording of the plat, certain information; providing  
7 a penalty; providing an effective date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Section 177.1115, Florida Statutes, is created  
12 to read:

13 177.1115 Issuance of an address and an individual parcel  
14 identification number after final plat is recorded; penalty.-

15 (1) Within 2 weeks after the date of recordation of a plat  
16 by the circuit court clerk or other recording officer, the  
17 appropriate governing body shall issue the street and mailing  
18 address, along with the individual parcel identification number,  
19 as contained in the plat offered for recording pursuant to s.  
20 177.091.

21 (2) If the appropriate governing body does not issue the  
22 street and mailing address, along with the individual parcel  
23 identification number, within the 2-week period in subsection  
24 (1), the building permit fee must be reduced by 10 percent for  
25 each business day that the body fails to issue such information.

26 Section 2. This act shall take effect July 1, 2025.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Banking and Insurance, *Chair*  
Environment and Natural Resources, *Vice Chair*  
Appropriations Committee on Criminal and  
Civil Justice  
Appropriations Committee on Transportation,  
Tourism, and Economic Development  
Fiscal Policy  
Regulated Industries  
Rules

### JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

**SENATOR BLAISE INGOLIA**

11th District

February 28, 2025

The Honorable Stan McClain, Chair  
Committee on Community Affairs  
312 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399

### **RE: SB 784 Issuance of an Address and an Individual Parcel Identification Number**

Chair McClain,

Senate Bill 784 has been referred to the Committee on Community Affairs as its first committee of reference. I respectfully ask that it be placed on the committee agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingolia".

Blaise Ingolia  
*State Senator, District 11*

*CC'd: Elizabeth Fleming, Tatiana Warden*

#### REPLY TO:

- 2943 Landover Boulevard, Spring Hill, Florida 34608 (352) 666-5707
- 306 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5011

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

3/17/25

Meeting Date

Community Affairs

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 784

Bill Number or Topic

821174

Amendment Barcode (if applicable)

Name JEFF SCALA

Phone (727) 637-4081

Address 100 S Monroe St

Email jscalq@fl-counties.com

Street

Tallahassee

City

FL

State

32301

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Association of Counties

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25 Meeting Date

784 Bill Number or Topic

CA Committee

Amendment Barcode (if applicable)

Name Edward Briggs Phone 850-933-5994

Address Street

City State Zip

Speaking: [X] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Pulte Homes

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flisenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: SB 1080

INTRODUCER: Senator McClain

SUBJECT: Local Government Land Regulation

DATE: March 14, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	<b>Favorable</b>
2.	_____	_____	JU	_____
3.	_____	_____	RC	_____

---

**I. Summary:**

SB 1080 requires local governments to:

- Specify the minimum information required for certain zoning applications;
- Process an application for a development permit or development order within certain timeframes;
- Not limit the number of quasi-judicial hearings or public hearings if such limitation causes delay in the consideration of an application; and
- Issue a refund to an applicant if the local government fails to meet certain timeframes when processing an application.

The bill also provides that comprehensive plan amendments are not required to be approved at the second public hearing in the amendment adoption process in order to avoid being deemed withdrawn.

The bill takes effect October 1, 2025.

**II. Present Situation:**

**The Community Planning Act**

Adopted in 1985, the Local Government Comprehensive Planning and Land Development Regulation Act,<sup>1</sup> also known as Florida’s Growth Management Act, was significantly revised in 2011, becoming the Community Planning Act.<sup>2</sup> The Community Planning Act governs how local governments create and adopt their local comprehensive plans.

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<sup>1</sup> See ch. 85-55, s. 1, Laws of Fla.

<sup>2</sup> See ch. 2011-139, s. 17, Laws of Fla.

Local comprehensive plans must include principles, guidelines, standards, and strategies for the orderly and balanced future land development of the area and reflect community commitments to implement the plan. The Community Planning Act intends that local governments manage growth through comprehensive land use plans that facilitate adequate and efficient provision of transportation, water, sewage, schools, parks, recreational facilities, housing, and other requirements and services.<sup>3</sup> A housing element is required as part of every comprehensive plan in the state. Among other things, the housing element must address “the creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.”<sup>4</sup>

Municipalities established after the effective date of the Community Planning Act must adopt a comprehensive plan within three years after the date of incorporation.<sup>5</sup> The county comprehensive plan controls until a municipal comprehensive plan is adopted.<sup>6</sup>

The comprehensive plan is implemented via land development regulations. Each county and municipality must adopt and enforce land development regulations, such as zoning or other housing-related ordinances, which are consistent with and implement their adopted comprehensive plan.<sup>7</sup>

### ***Comprehensive Plan Amendments***

Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government amends its comprehensive plan first. State law requires a proposed comprehensive plan amendment to receive two public hearings, the first held by the local planning board, and subsequently by the governing board.<sup>8</sup>

Any affected person may challenge whether a plan or plan amendment complies with the Act by petitioning the Division of Administrative Hearings (DOAH) for a formal hearing.<sup>9</sup> An administrative law judge must hold a hearing in the affected local jurisdiction on whether the plan or plan amendment is in compliance.<sup>10</sup> In challenges filed by an affected person, the comprehensive plan or plan amendment shall be determined to be in compliance if the local government’s determination of compliance is fairly debatable. If the administrative law judge recommends that the amendment be found in compliance, the judge shall submit the recommended order to the state land planning agency for a final order in its favor.<sup>11</sup>

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<sup>3</sup> Section 163.3161(4), F.S.

<sup>4</sup> Section 163.3177(6)(f)1.g., F.S.

<sup>5</sup> Section 163.3167(3), F.S.

<sup>6</sup> *Id.*

<sup>7</sup> Section 163.3202, F.S.

<sup>8</sup> Sections 163.3174(4)(a) and 163.3184, F.S.

<sup>9</sup> Section 163.3184(5)(a), F.S.

<sup>10</sup> Section 163.3184(5)(c), F.S.

<sup>11</sup> Section 163.3184(5)(e), F.S.

## Issuing Development Orders and Permits

Under the Community Planning Act, a development permit is any official action of a local government that has the effect of permitting the development of land including, but not limited to, building permits, zoning permits, subdivision approval, rezoning, certifications, special exceptions, and variances.<sup>12</sup> A development order is issued by a local government and grants, denies, or grants with conditions an application for a development permit.<sup>13</sup>

Within 30 days after receiving an application for approval of a development permit or development order, a municipality or county must review the application for completeness and issue a letter indicating that all required information is submitted or specify any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information.<sup>14</sup>

Within 120 days after the municipality or county has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the county must approve, approve with conditions, or deny the application for a development permit or development order.<sup>15</sup> Both the applicant and the local government may agree to a reasonable request for an extension of time, particularly in the event of an extraordinary circumstance.<sup>16</sup> An approval, approval with conditions, or denial of the application for a development permit or development order must include written findings supporting the county's decision.<sup>17</sup> However, these timeframes do not apply in an area of critical state concern.<sup>18</sup>

When reviewing an application for a development permit or development order, not including building permit applications, a county or municipality may not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing.<sup>19</sup>

If a county or municipality makes a request for additional information from the applicant and the applicant provides the information within 30 days of receiving the request, the county or the municipality must:

- Review the additional information and issue a letter to the applicant indicating that the application is complete or specify the remaining deficiencies within 30 days of receiving the information, if the request is the county or municipality's first request.<sup>20</sup>
- Review the additional information and issue a letter to the applicant indicating that the application is complete or specify the remaining deficiencies within 10 days of receiving the additional information, if the request is the county or municipality's second request.<sup>21</sup>

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<sup>12</sup> Section 163.3164(16), F.S.

<sup>13</sup> See ss. 125.022, 163.3164(15), and 166.033, F.S.

<sup>14</sup> Sections 125.022(1) and 166.033(1), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> Sections 125.022(2) and 166.033(2), F.S.

<sup>20</sup> Section 125.022(2)(b) and Section 166.033(2)(b), F.S.

<sup>21</sup> Section 125.022(2)(c) and Section 166(2)(c), F.S.

- Deem the application complete within ten days of receiving the additional information or proceed to process the application for approval or denial unless the applicant waived the county or municipality's time limitations in writing, if the request is the county or municipality's third request.

Before a third request for information, the applicant must be offered a meeting to attempt to resolve outstanding issues.<sup>22</sup> If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the applicant can request the county or municipality proceed to process the application for approval or denial.<sup>23</sup> If denied, the county or municipality is required to give written notice to the applicant and must provide reference to the applicable legal authority for the denial of the permit.<sup>24</sup>

Once an application is deemed complete, a county or municipality must approve, approve with conditions, or deny the application within 120 days or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing.<sup>25</sup>

### III. Effect of Proposed Changes:

**Sections 1 and 3** amend ss. 125.022 and 166.033, F.S., to amend a variety of provisions related to county and municipality, respectively, operations surrounding development permits and orders. The amendments are listed by specific subject below.

#### *Minimum Information for Certain Zoning Applications*

The bill requires that a local government must specify in writing the minimum information that must be submitted in an application for a zoning approval, rezoning approval, subdivision approval, certification, special exception, or variance. Under the bill, the local government must:

- Make the minimum information available for inspection and copying at the location where the local government receives applications for development permits and orders;
- Provide the minimum information to the applicant at a preapplication meeting; or
- Post the minimum information on the local government's website.

#### *Timeframes for Processing an Application*

Within 5 business days after receiving an application for approval of a development permit or development order, the bill requires that a local government must confirm receipt of the application using the contact information provided by the applicant.

The bill clarifies that, within 30 days after receiving an application for approval of a development permit or order, a local government must review the application for completeness and either:

- Issue a written notification to the applicant indicating that all required information is submitted; or

<sup>22</sup> Sections 125.022(2) and 166.033(2), F.S.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

- Specify, with particularity and in writing, any areas that are deficient.

For an application for a development permit or order that *does not* require final action through a quasi-judicial hearing or public hearing, the bill requires a local government to, within **120 days** after the local government has deemed the application complete:

- Approve the application;
- Approve the application with conditions; or
- Deny the application.

For an application for a development permit or order that *does* require final action through a quasi-judicial hearing or public hearing, the bill requires a local government to, within **180 days** after the local government has deemed the application complete:

- Approve the application;
- Approve the application with conditions; or
- Deny the application.

The bill prohibits a local government from limiting the number of quasi-judicial hearings or public hearings held each month if such limitation causes any delay in the consideration of an application for approval of a development permit or order.

Additionally, the bill clarifies that a local government and an applicant may agree in writing to an extension of time for processing an application, particularly in the event of a force majeure or other extraordinary circumstance.

The bill provides that the foregoing timeframes restart if an applicant makes a substantive change to the application. The bill defines “substantive change” as an applicant-initiated change of 15 percent or more in the proposed density, intensity, or square footage of a parcel.

### ***Requirement to Issue a Refund***

The bill requires a local government to issue a refund to an applicant equal to:

- Ten percent of the application fee if the local government fails to issue written notification of completeness or written specification of areas of deficiency within 30 days after receiving the application.
- Ten percent of the application fee if the local government fails to issue a written notification of completeness or written specification of areas of deficiency within 30 days after receiving the additional information pursuant to an initial request by the local government to furnish such additional information.
- Twenty percent of the application fee if the local government fails to issue a written notification of completeness or written specification of areas of deficiency within 10 days after receiving the additional information pursuant to a second request by the local government to furnish such additional information.
- Fifty percent of the application fee if the local government fails to approve, approve with conditions, or deny the application within 30 days after conclusion of the 120-day or 180-day timeframe specified above.

- One hundred percent of the application fee if the local government fails to approve, approve with conditions, or deny an application 31 days or more after conclusion of the 120-day or 180-day timeframe specified above.

A local government is not required to issue a refund in any of the foregoing scenarios if:

- The applicant and the local government agree to an extension of time;
- The delay is caused by the applicant; or
- The delay is attributable to a force majeure or other extraordinary circumstances.

**Section 2** amends s. 163.3184, F.S., to provide that comprehensive plan amendments are not required to be approved at the second public hearing in the process in order to avoid being deemed withdrawn.

The bill takes effect October 1, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have an indeterminate positive fiscal impact to the extent applicants receive refunds from counties and municipalities that fail to meet statutory deadlines relating to development permits and orders.

**C. Government Sector Impact:**

The bill may have an indeterminate negative fiscal impact on local governments to the extent those governments must issue refunds for failing to meet statutory deadlines relating to development permits and orders.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 125.022, 163.3184, and 166.033.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator McClain

9-00728B-25

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1                   A bill to be entitled  
2       An act relating to local government land regulation;  
3       amending s. 125.022, F.S.; requiring counties to meet  
4       specified requirements regarding the minimum  
5       information necessary for certain applications;  
6       revising timeframes for processing applications for  
7       approval of development permits or development orders;  
8       prohibiting counties from limiting the number of  
9       quasi-judicial or public hearings held each month in  
10      certain circumstances; defining the term "substantive  
11      change"; providing refund parameters in situations  
12      where the county fails to meet certain timeframes;  
13      providing exceptions; amending s. 163.3184, F.S.;  
14      revising the expedited state review process for  
15      adoption of comprehensive plan amendments; amending s.  
16      166.033, F.S.; requiring municipalities to meet  
17      specified requirements regarding the minimum  
18      information necessary for certain applications;  
19      revising timeframes for processing applications for  
20      approval of development permits or development orders;  
21      prohibiting municipalities from limiting the number of  
22      quasi-judicial or public hearings held each month in  
23      certain circumstances; defining the term "substantive  
24      change"; providing refund parameters in situations  
25      where the municipality fails to meet certain  
26      timeframes; providing exceptions; providing an  
27      effective date.

28  
29   Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 125.022, Florida Statutes, is amended to read:

125.022 Development permits and orders.—

(1) A county shall specify in writing the minimum information that must be submitted in an application for a zoning approval, rezoning approval, subdivision approval, certification, special exception, or variance. A county shall make the minimum information available for inspection and copying at the location where the county receives applications for development permits and orders, provide the information to the applicant at a preapplication meeting, or post the information on the county's website.

(2) Within 5 business days after receiving an application for approval of a development permit or development order, a county shall confirm receipt of the application using contact information provided by the applicant. Within 30 days after receiving an application for approval of a development permit or development order, a county must review the application for completeness and issue a written notification to the applicant ~~letter~~ indicating that all required information is submitted or specify in writing ~~specifying~~ with particularity any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. For applications that do not require final action through a quasi-judicial hearing or a public hearing, the county must approve, approve with conditions, or deny the application for a development permit or development order within 120 days after the county has deemed

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59 the application complete, ~~or 180 days~~ For applications that  
60 require final action through a quasi-judicial hearing or a  
61 public hearing, the county must approve, approve with  
62 conditions, or deny the application for a development permit or  
63 development order within 180 days after the county has deemed  
64 the application complete. A county may not limit the number of  
65 quasi-judicial hearings or public hearings held each month if  
66 such limitation causes any delay in the consideration of an  
67 application for approval of a development permit or development  
68 order. Both parties may agree in writing to a reasonable request  
69 ~~for~~ an extension of time, particularly in the event of a force  
70 majeure or other extraordinary circumstance. An approval,  
71 approval with conditions, or denial of the application for a  
72 development permit or development order must include written  
73 findings supporting the county's decision. The timeframes  
74 contained in this subsection do not apply in an area of critical  
75 state concern, as designated in s. 380.0552. The timeframes  
76 contained in this subsection restart if an applicant makes a  
77 substantive change to the application. As used in this  
78 subsection, the term "substantive change" means an applicant-  
79 initiated change of 15 percent or more in the proposed density,  
80 intensity, or square footage of a parcel.

81 ~~(3) (a) (2) (a)~~ When reviewing an application for a  
82 development permit or development order that is certified by a  
83 professional listed in s. 403.0877, a county may not request  
84 additional information from the applicant more than three times,  
85 unless the applicant waives the limitation in writing.

86 (b) If a county makes a request for additional information  
87 and the applicant submits the required additional information

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88 within 30 days after receiving the request, the county must  
89 review the application for completeness and issue a letter  
90 indicating that all required information has been submitted or  
91 specify with particularity any areas that are deficient within  
92 30 days after receiving the additional information.

93 (c) If a county makes a second request for additional  
94 information and the applicant submits the required additional  
95 information within 30 days after receiving the request, the  
96 county must review the application for completeness and issue a  
97 letter indicating that all required information has been  
98 submitted or specify with particularity any areas that are  
99 deficient within 10 days after receiving the additional  
100 information.

101 (d) Before a third request for additional information, the  
102 applicant must be offered a meeting to attempt to resolve  
103 outstanding issues. If a county makes a third request for  
104 additional information and the applicant submits the required  
105 additional information within 30 days after receiving the  
106 request, the county must deem the application complete within 10  
107 days after receiving the additional information or proceed to  
108 process the application for approval or denial unless the  
109 applicant waived the county's limitation in writing as described  
110 in paragraph (a).

111 (e) Except as provided in subsection (7) ~~(5)~~, if the  
112 applicant believes the request for additional information is not  
113 authorized by ordinance, rule, statute, or other legal  
114 authority, the county, at the applicant's request, shall proceed  
115 to process the application for approval or denial.

116 (4) A county must issue a refund to an applicant equal to:

9-00728B-25

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117 (a) Ten percent of the application fee if the county fails  
118 to issue written notification of completeness or written  
119 specification of areas of deficiency within 30 days after  
120 receiving the application.

121 (b) Ten percent of the application fee if the county fails  
122 to issue a written notification of completeness or written  
123 specification of areas of deficiency within 30 days after  
124 receiving the additional information pursuant to paragraph  
125 (3) (b) .

126 (c) Twenty percent of the application fee if the county  
127 fails to issue a written notification of completeness or written  
128 specification of areas of deficiency within 10 days after  
129 receiving the additional information pursuant to paragraph  
130 (3) (c) .

131 (d) Fifty percent of the application fee if the county  
132 fails to approve, approves with conditions, or denies the  
133 application within 30 days after conclusion of the 120-day or  
134 180-day timeframe specified in subsection (2) .

135 (e) One hundred percent of the application fee if the  
136 county fails to approve, approves with conditions, or denies an  
137 application 31 days or more after conclusion of the 120-day or  
138 180-day timeframe specified in subsection (2) .

139  
140 A county is not required to issue a refund if the applicant and  
141 the county agree to an extension of time, the delay is caused by  
142 the applicant, or the delay is attributable to a force majeure  
143 or other extraordinary circumstance.

144 (5)-(3) When a county denies an application for a  
145 development permit or development order, the county shall give

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146 written notice to the applicant. The notice must include a  
147 citation to the applicable portions of an ordinance, rule,  
148 statute, or other legal authority for the denial of the permit  
149 or order.

150 (6)~~(4)~~ As used in this section, the terms "development  
151 permit" and "development order" have the same meaning as in s.  
152 163.3164, but do not include building permits.

153 (7)~~(5)~~ For any development permit application filed with  
154 the county after July 1, 2012, a county may not require as a  
155 condition of processing or issuing a development permit or  
156 development order that an applicant obtain a permit or approval  
157 from any state or federal agency unless the agency has issued a  
158 final agency action that denies the federal or state permit  
159 before the county action on the local development permit.

160 (8)~~(6)~~ Issuance of a development permit or development  
161 order by a county does not in any way create any rights on the  
162 part of the applicant to obtain a permit from a state or federal  
163 agency and does not create any liability on the part of the  
164 county for issuance of the permit if the applicant fails to  
165 obtain requisite approvals or fulfill the obligations imposed by  
166 a state or federal agency or undertakes actions that result in a  
167 violation of state or federal law. A county shall attach such a  
168 disclaimer to the issuance of a development permit and shall  
169 include a permit condition that all other applicable state or  
170 federal permits be obtained before commencement of the  
171 development.

172 (9)~~(7)~~ This section does not prohibit a county from  
173 providing information to an applicant regarding what other state  
174 or federal permits may apply.

9-00728B-25

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175 Section 2. Paragraphs (b) and (c) of subsection (3) of  
176 section 163.3184, Florida Statutes, are amended to read:

177 163.3184 Process for adoption of comprehensive plan or plan  
178 amendment.—

179 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF  
180 COMPREHENSIVE PLAN AMENDMENTS.—

181 (b)1. If a plan amendment or amendments are adopted, the  
182 local government, after the initial public hearing held pursuant  
183 to subsection (11), shall transmit, within 10 working days after  
184 the date of adoption, the amendment or amendments and  
185 appropriate supporting data and analyses to the reviewing  
186 agencies. The local governing body shall also transmit a copy of  
187 the amendments and supporting data and analyses to any other  
188 local government or governmental agency that has filed a written  
189 request with the governing body.

190 2. The reviewing agencies and any other local government or  
191 governmental agency specified in subparagraph 1. may provide  
192 comments regarding the amendment or amendments to the local  
193 government. State agencies shall only comment on important state  
194 resources and facilities that will be adversely impacted by the  
195 amendment if adopted. Comments provided by state agencies shall  
196 state with specificity how the plan amendment will adversely  
197 impact an important state resource or facility and shall  
198 identify measures the local government may take to eliminate,  
199 reduce, or mitigate the adverse impacts. Such comments, if not  
200 resolved, may result in a challenge by the state land planning  
201 agency to the plan amendment. Agencies and local governments  
202 must transmit their comments to the affected local government  
203 such that they are received by the local government not later

9-00728B-25

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204 than 30 days after the date on which the agency or government  
205 received the amendment or amendments. Reviewing agencies shall  
206 also send a copy of their comments to the state land planning  
207 agency.

208 3. Comments to the local government from a regional  
209 planning council, county, or municipality shall be limited as  
210 follows:

211 a. The regional planning council review and comments shall  
212 be limited to adverse effects on regional resources or  
213 facilities identified in the strategic regional policy plan and  
214 extrajurisdictional impacts that would be inconsistent with the  
215 comprehensive plan of any affected local government within the  
216 region. A regional planning council may not review and comment  
217 on a proposed comprehensive plan amendment prepared by such  
218 council unless the plan amendment has been changed by the local  
219 government subsequent to the preparation of the plan amendment  
220 by the regional planning council.

221 b. County comments shall be in the context of the  
222 relationship and effect of the proposed plan amendments on the  
223 county plan.

224 c. Municipal comments shall be in the context of the  
225 relationship and effect of the proposed plan amendments on the  
226 municipal plan.

227 d. Military installation comments shall be provided in  
228 accordance with s. 163.3175.

229 4. Comments to the local government from state agencies  
230 shall be limited to the following subjects as they relate to  
231 important state resources and facilities that will be adversely  
232 impacted by the amendment if adopted:

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233 a. The Department of Environmental Protection shall limit  
234 its comments to the subjects of air and water pollution;  
235 wetlands and other surface waters of the state; federal and  
236 state-owned lands and interest in lands, including state parks,  
237 greenways and trails, and conservation easements; solid waste;  
238 water and wastewater treatment; and the Everglades ecosystem  
239 restoration.

240 b. The Department of State shall limit its comments to the  
241 subjects of historic and archaeological resources.

242 c. The Department of Transportation shall limit its  
243 comments to issues within the agency's jurisdiction as it  
244 relates to transportation resources and facilities of state  
245 importance.

246 d. The Fish and Wildlife Conservation Commission shall  
247 limit its comments to subjects relating to fish and wildlife  
248 habitat and listed species and their habitat.

249 e. The Department of Agriculture and Consumer Services  
250 shall limit its comments to the subjects of agriculture,  
251 forestry, and aquaculture issues.

252 f. The Department of Education shall limit its comments to  
253 the subject of public school facilities.

254 g. The appropriate water management district shall limit  
255 its comments to flood protection and floodplain management,  
256 wetlands and other surface waters, and regional water supply.

257 h. The state land planning agency shall limit its comments  
258 to important state resources and facilities outside the  
259 jurisdiction of other commenting state agencies and may include  
260 comments on countervailing planning policies and objectives  
261 served by the plan amendment that should be balanced against

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262 potential adverse impacts to important state resources and  
263 facilities.

264 (c)1. The local government shall hold a second public  
265 hearing, which shall be a hearing on whether to adopt one or  
266 more comprehensive plan amendments pursuant to subsection (11).  
267 If the local government fails, within 180 days after receipt of  
268 agency comments, to hold the second public hearing, ~~and to adopt~~  
269 ~~the comprehensive plan amendments,~~ the amendments are deemed  
270 withdrawn unless extended by agreement with notice to the state  
271 land planning agency and any affected person that provided  
272 comments on the amendment. The local government is in compliance  
273 if the second public hearing is held within the 180-day period  
274 following receipt of agency comments, even if the amendments are  
275 approved at a subsequent hearing. The 180-day limitation does  
276 not apply to amendments processed pursuant to s. 380.06.

277 2. All comprehensive plan amendments adopted by the  
278 governing body, along with the supporting data and analysis,  
279 shall be transmitted within 10 working days after the final  
280 adoption hearing to the state land planning agency and any other  
281 agency or local government that provided timely comments under  
282 subparagraph (b)2. If the local government fails to transmit the  
283 comprehensive plan amendments within 10 working days after the  
284 final adoption hearing, the amendments are deemed withdrawn.

285 3. The state land planning agency shall notify the local  
286 government of any deficiencies within 5 working days after  
287 receipt of an amendment package. For purposes of completeness,  
288 an amendment shall be deemed complete if it contains a full,  
289 executed copy of:

290 a. The adoption ordinance or ordinances;

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291 b. In the case of a text amendment, the amended language in  
292 legislative format with new words inserted in the text  
293 underlined, and words deleted stricken with hyphens;

294 c. In the case of a future land use map amendment, the  
295 future land use map clearly depicting the parcel, its existing  
296 future land use designation, and its adopted designation; and

297 d. Any data and analyses the local government deems  
298 appropriate.

299 4. An amendment adopted under this paragraph does not  
300 become effective until 31 days after the state land planning  
301 agency notifies the local government that the plan amendment  
302 package is complete. If timely challenged, an amendment does not  
303 become effective until the state land planning agency or the  
304 Administration Commission enters a final order determining the  
305 adopted amendment to be in compliance.

306 Section 3. Section 166.033, Florida Statutes, is amended to  
307 read:

308 166.033 Development permits and orders.—

309 (1) A municipality shall specify in writing the minimum  
310 information that must be submitted for an application for a  
311 zoning approval, rezoning approval, subdivision approval,  
312 certification, special exception, or variance. A municipality  
313 shall make the minimum information available for inspection and  
314 copying at the location where the municipality receives  
315 applications for development permits and orders, provide the  
316 information to the applicant at a preapplication meeting, or  
317 post the information on the municipality's website.

318 (2) Within 5 business days after receiving an application  
319 for approval of a development permit or development order, a

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320 municipality shall confirm receipt of the application using  
321 contact information provided by the applicant. Within 30 days  
322 after receiving an application for approval of a development  
323 permit or development order, a municipality must review the  
324 application for completeness and issue a written notification to  
325 the applicant ~~letter~~ indicating that all required information is  
326 submitted or specify in writing ~~specifying~~ with particularity  
327 any areas that are deficient. If the application is deficient,  
328 the applicant has 30 days to address the deficiencies by  
329 submitting the required additional information. For applications  
330 that do not require final action through a quasi-judicial  
331 hearing or a public hearing, the municipality must approve,  
332 approve with conditions, or deny the application for a  
333 development permit or development order within 120 days after  
334 the municipality has deemed the application complete. ~~, or 180~~  
335 ~~days~~ For applications that require final action through a quasi-  
336 judicial hearing or a public hearing, the municipality must  
337 approve, approve with conditions, or deny the application for a  
338 development permit or development order within 180 days after  
339 the municipality has deemed the application complete. A  
340 municipality may not limit the number of quasi-judicial hearings  
341 or public hearings held each month if such limitation causes any  
342 delay in the consideration of an application for approval of a  
343 development permit or development order. Both parties may agree  
344 in writing to a reasonable request for an extension of time,  
345 particularly in the event of a force majeure or other  
346 extraordinary circumstance. An approval, approval with  
347 conditions, or denial of the application for a development  
348 permit or development order must include written findings

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349 supporting the municipality's decision. The timeframes contained  
350 in this subsection do not apply in an area of critical state  
351 concern, as designated in s. 380.0552 or chapter 28-36, Florida  
352 Administrative Code. The timeframes contained in this subsection  
353 restart if an applicant makes a substantive change to the  
354 application. As used in this subsection, the term "substantive  
355 change" means an applicant-initiated change of 15 percent or  
356 more in the proposed density, intensity, or square footage of a  
357 parcel.

358 (3) (a) (2) (a) When reviewing an application for a  
359 development permit or development order that is certified by a  
360 professional listed in s. 403.0877, a municipality may not  
361 request additional information from the applicant more than  
362 three times, unless the applicant waives the limitation in  
363 writing.

364 (b) If a municipality makes a request for additional  
365 information and the applicant submits the required additional  
366 information within 30 days after receiving the request, the  
367 municipality must review the application for completeness and  
368 issue a letter indicating that all required information has been  
369 submitted or specify with particularity any areas that are  
370 deficient within 30 days after receiving the additional  
371 information.

372 (c) If a municipality makes a second request for additional  
373 information and the applicant submits the required additional  
374 information within 30 days after receiving the request, the  
375 municipality must review the application for completeness and  
376 issue a letter indicating that all required information has been  
377 submitted or specify with particularity any areas that are

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378 deficient within 10 days after receiving the additional  
379 information.

380 (d) Before a third request for additional information, the  
381 applicant must be offered a meeting to attempt to resolve  
382 outstanding issues. If a municipality makes a third request for  
383 additional information and the applicant submits the required  
384 additional information within 30 days after receiving the  
385 request, the municipality must deem the application complete  
386 within 10 days after receiving the additional information or  
387 proceed to process the application for approval or denial unless  
388 the applicant waived the municipality's limitation in writing as  
389 described in paragraph (a).

390 (e) Except as provided in subsection (7) ~~(5)~~, if the  
391 applicant believes the request for additional information is not  
392 authorized by ordinance, rule, statute, or other legal  
393 authority, the municipality, at the applicant's request, shall  
394 proceed to process the application for approval or denial.

395 (4) A municipality must issue a refund to an applicant  
396 equal to:

397 (a) Ten percent of the application fee if the municipality  
398 fails to issue written notification of completeness or written  
399 specification of areas of deficiency within 30 days after  
400 receiving the application.

401 (b) Ten percent of the application fee if the municipality  
402 fails to issue written notification of completeness or written  
403 specification of areas of deficiency within 30 days after  
404 receiving the additional information pursuant to paragraph  
405 (3) (b).

406 (c) Twenty percent of the application fee if the

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407 municipality fails to issue written notification of completeness  
408 or written specification of areas of deficiency within 10 days  
409 after receiving the additional information pursuant to paragraph  
410 (3) (c).

411 (d) Fifty percent of the application fee if the  
412 municipality fails to approve, approves with conditions, or  
413 denies the application within 30 days after conclusion of the  
414 120-day or 180-day timeframe specified in subsection (2).

415 (e) One hundred percent of the application fee if the  
416 municipality fails to approve, approves with conditions, or  
417 denies an application 31 days or more after conclusion of the  
418 120-day or 180-day timeframe specified in subsection (2).

419  
420 A municipality is not required to issue a refund if the  
421 applicant and the municipality agree to an extension of time,  
422 the delay is caused by the applicant, or the delay is  
423 attributable to a force majeure or other extraordinary  
424 circumstance.

425 (5)(3) When a municipality denies an application for a  
426 development permit or development order, the municipality shall  
427 give written notice to the applicant. The notice must include a  
428 citation to the applicable portions of an ordinance, rule,  
429 statute, or other legal authority for the denial of the permit  
430 or order.

431 (6)(4) As used in this section, the terms "development  
432 permit" and "development order" have the same meaning as in s.  
433 163.3164, but do not include building permits.

434 (7)(5) For any development permit application filed with  
435 the municipality after July 1, 2012, a municipality may not

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436 require as a condition of processing or issuing a development  
437 permit or development order that an applicant obtain a permit or  
438 approval from any state or federal agency unless the agency has  
439 issued a final agency action that denies the federal or state  
440 permit before the municipal action on the local development  
441 permit.

442 (8)~~(6)~~ Issuance of a development permit or development  
443 order by a municipality does not create any right on the part of  
444 an applicant to obtain a permit from a state or federal agency  
445 and does not create any liability on the part of the  
446 municipality for issuance of the permit if the applicant fails  
447 to obtain requisite approvals or fulfill the obligations imposed  
448 by a state or federal agency or undertakes actions that result  
449 in a violation of state or federal law. A municipality shall  
450 attach such a disclaimer to the issuance of development permits  
451 and shall include a permit condition that all other applicable  
452 state or federal permits be obtained before commencement of the  
453 development.

454 (9)~~(7)~~ This section does not prohibit a municipality from  
455 providing information to an applicant regarding what other state  
456 or federal permits may apply.

457 Section 4. This act shall take effect October 1, 2025.



The Florida Senate

## Committee Agenda Request

**To:** Senator Stan McClain, Chair  
Committee on Community Affairs

**Subject:** Committee Agenda Request

**Date:** March 3, 2025

---

I respectfully request that **Senate Bill #1080**, relating to Local Government Land Regulation, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink, appearing to read "Stan McClain".

---

Senator Stan McClain  
Florida Senate, District 9

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/2025

Meeting Date

1080

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Colton Madill

Name

(850) 766-7983

Phone

136 S. Bronough St.

Address

Street

CMadill@flchambers.com

Email

Tallahassee, FL 32301

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Chamber of Commerce

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1080

3-17-25

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

S. Community Affairs

Committee

Amendment Barcode (if applicable)

Name

KARI HERBRANK

Phone

850-516-7824

Address

215 S. Monroe St. #700

Email

Khebrank@carltonfields.com

Street

TALLAHASSEE FL

State

32301

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

FL HOME BUILDERS ASSOC.

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB1080

Bill Number or Topic

3/17/25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name DAVE GATTIS

Phone 7272188358

Address 309 2ND ST

Email

BELEACH BCH

FL

33786

City

State

Zip

Speaking: [ ] For [X] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

---

BILL: CS/SB 1118

INTRODUCER: Community Affairs Committee and Senator McClain

SUBJECT: Land Use and Development Regulations

DATE: March 19, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	<b>Fav/CS</b>
2.	_____	_____	RI	_____
3.	_____	_____	RC	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 1118 amends various provisions of law relating to comprehensive planning, land use regulations, and homeowners' associations.

With regard to comprehensive planning, the bill:

- Provides a substantially new mechanism for the administrative approval of development on agricultural enclaves;
- Provides that all residential land use categories, residential zoning categories, and housing types are compatible with each other;
- Prohibits optional elements of the comprehensive plan from containing policies which restrict the density or intensity established in the future land use element;
- Provides that the adoption by ordinance of a comprehensive plan or plan amendment that contains more restrictive or burdensome procedures concerning development must be approved by a supermajority vote of the members of the governing body; and
- Provides for court review of comprehensive plan amendments with more favorable standards of review than the existing DOAH challenge framework.

With regard to land development regulations, the bill:

- Provides a definition of "extraordinary circumstance" for the purposes of raising impact fees beyond the statutorily prescribed percentage,
- Provides that the production of ethanol as it is used in the context of agricultural purposes is not considered chemical manufacturing or refining;

- Prohibits a county or municipality from requiring the installation of a work of art as a precondition to issuing a development permit;
- Revises timelines and procedures for meetings on and review of plat submittals; and
- Protects the assumption of land use regulation by a municipality which annexes unincorporated land

With regard to homeowners' associations, the bill creates part IV for ch. 720, F.S., introducing the concept of recreational covenants to occupy the subject of amenity fees, dues, and expenses. The bill provides that certain dues may only be imposed and collected as provided in a recreational covenant, specifies requirements for such a document, and provides further requirements for the creation and use of the same.

The bill takes effect July 1, 2025.

## II. Present Situation:

### Comprehensive Plans

The Community Planning Act provides counties and municipalities with the power to plan for future development by adopting comprehensive plans.<sup>1</sup> Each county and municipality must maintain a comprehensive plan to guide future development.<sup>2</sup>

All development, both public and private, and all development orders approved by local governments must be consistent with the local government's comprehensive plan.<sup>3</sup> A comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth, and establishes a long-range maximum limit on the possible intensity of land use.

A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments. A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.<sup>4</sup>

The 10 required elements consider and address capital improvements; future land use plan; transportation; general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge; conservation; recreation and open space; housing; coastal management; intergovernmental coordination; and property rights. Other plans and programs may be added as optional elements to a comprehensive plan.<sup>5</sup>

---

<sup>1</sup> Section 163.3167(1), F.S.

<sup>2</sup> Section 163.3167(2), F.S.

<sup>3</sup> Section 163.3194(3), F.S.

<sup>4</sup> Section 163.3177(3) and (6), F.S.

<sup>5</sup> *Id.*

### ***Future Land Use Element***

Comprehensive plans must contain an element regarding future land use that designates proposed future general distribution, location, and extent of the uses of land for a number of uses and categories of public and private uses of land.<sup>6</sup> Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities.<sup>7</sup> The proposed distribution, location, and extent of the various categories of land use must be shown on a land use map or map series. Future land use plans and plan amendments are based on surveys, studies, and data regarding the area.<sup>8</sup>

A comprehensive plan's future land use element establishes a range of allowable uses and densities and intensities over large areas, and the specific use and intensities for specific parcels within that range are decided by a more detailed, implementing zoning map.<sup>9</sup>

### ***Comprehensive Plan Amendments***

Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government amends its comprehensive plan first. State law requires a proposed comprehensive plan amendment to receive two public hearings, the first held by the local planning board, and subsequently by the governing board.<sup>10</sup>

Any affected person may challenge whether a plan or plan amendment complies with the Act by petitioning the Division of Administrative Hearings (DOAH) for a formal hearing.<sup>11</sup> An administrative law judge must hold a hearing in the affected local jurisdiction on whether the plan or plan amendment is in compliance.<sup>12</sup> In challenges filed by an affected person, the comprehensive plan or plan amendment shall be determined to be in compliance if the local government's determination of compliance is fairly debatable. If the administrative law judge recommends that the amendment be found in compliance, the judge shall submit the recommended order to the state land planning agency for a final order in its favor.<sup>13</sup>

A comprehensive plan amendment may be classified as a small-scale amendment if the amendment involves less than 50 acres of land, does not impact land located in an area of critical state concern, preserves the internal consistency of the overall local comprehensive plan, and does not require substantive changes to the text of the plan.<sup>14</sup> Any affected person may challenge a small scale plan amendment by petitioning DOAH for a hearing. An administrative law judge

---

<sup>6</sup> Section 163.3177(6)(a), F.S. Applicable uses and categories of public and private uses of land include, but are not limited to, residential, commercial, industrial, agricultural, recreational, conservation, educational, and public facilities. S. 163.3177(6)(a)10., F.S.

<sup>7</sup> Section 163.3177(6)(a)1., F.S.

<sup>8</sup> Section 163.3177(6)(a)2., F.S.

<sup>9</sup> Richard Grosso, A Guide to Development Order "Consistency" Challenges Under Florida Statutes Section 163.3215, 34 J. Envtl. L. & Litig. 129, 154 (2019) citing Brevard Cty. v. Snyder, 627 So. 2d 469, 475 (Fla. 1993).

<sup>10</sup> Sections 163.3174(4)(a) and 163.3184, F.S.

<sup>11</sup> Section 163.3184(5)(a), F.S.

<sup>12</sup> Section 163.3184(5)(c), F.S.

<sup>13</sup> Section 163.3184(5)(e), F.S.

<sup>14</sup> Section. 163.3187(1), F.S. If the amendment involves a site within an area of rural opportunity, the proposed small scale amendment may involve up to 100 acres. Section 163.3187(3), F.S.

must hold a hearing in the affected jurisdiction.<sup>15</sup> Attorney fees and costs are awarded in administrative proceedings before DOAH only if the non-prevailing adverse party participated in the proceedings for an improper purpose.<sup>16</sup>

### **Land Development Regulations**

Comprehensive plans are implemented via land development regulations. Land development regulations are ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.<sup>17</sup>

Each county and municipality must adopt and enforce land development regulations which are consistent with and implement their adopted comprehensive plan.<sup>18</sup> Local governments are encouraged to use innovative land development regulations<sup>19</sup> and may adopt measures for the purpose of increasing affordable housing using land-use mechanisms.<sup>20</sup> Land development regulations relating to all public and private development, including special district projects, must be consistent with the local comprehensive plan.<sup>21</sup>

### **Agricultural Enclaves**

An agricultural enclave is an unincorporated, undeveloped parcel that:

- Is owned by a single person or entity;
- Has been in continuous use for bona fide agricultural purposes for 5 years prior to the date of any comprehensive plan amendment application;
- Is surrounded on at least 75 percent of its perimeter by existing industrial, commercial, or residential development; or property designated in the local government's comprehensive plan and land development regulations for future industrial, commercial, or residential development, and 75 percent of which currently contains such development;
- Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure; and
- Does not exceed 1,280 acres, or 4,480 acres if the property is surrounded by existing or authorized residential development with a density buildout of at least 1,000 residents per square mile.<sup>22</sup>

---

<sup>15</sup> Section 163.3187(5)(a), F.S.

<sup>16</sup> Section 120.595(1)(b), F.S. "Improper purpose" is defined as participating "in a proceeding pursuant to s. 120.57(1) primarily to harass or to cause unnecessary delay or for frivolous purpose or to needlessly increase the cost of litigation, licensing, or securing the approval of an activity." Section 120.595(1)(e)1., F.S.

<sup>17</sup> Section 163.3164, F.S.

<sup>18</sup> Section 163.3202, F.S.

<sup>19</sup> Section 163.3202(3), F.S.

<sup>20</sup> Sections 125.01055 and 166.04151, F.S.

<sup>21</sup> See ss. 163.3161(6) and 163.3194(1)(a), F.S.

<sup>22</sup> Section 163.3164(4), F.S.

The owner of an agricultural enclave may apply for an amendment to the local government comprehensive plan. Such amendment is presumed not to be urban sprawl<sup>23</sup> if it includes land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel.<sup>24</sup>

The local government and the owner of a parcel of land that is the subject of an application for an amendment shall have 180 days following the date that the local government receives a complete application to negotiate in good faith to reach consensus on the land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel. Within 30 days after the local government's receipt of such an application, the local government and owner must agree in writing to a schedule for information submittal, public hearings, negotiations, and final action on the amendment, which schedule may thereafter be altered only with the written consent of the local government and the owner. Regardless of whether the local government and owner reach consensus on the land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel, the amendment must be transmitted to the state land planning agency for review.<sup>25</sup>

The agricultural enclave provisions do not preempt or replace any protection currently existing for property located within the boundaries of the Wekiva Study Area, as described in s. 369.316, F.S., or to the Everglades Protection Area, as defined in s. 373.4592.<sup>26</sup>

### **Local Government Impact Fees**

In Florida, impact fees are imposed pursuant to local legislation and are generally charged as a condition for the issuance of a project's building permit. The principle behind the imposition of impact fees is to transfer to new users of a government-owned system a fair share of the costs the new use of the system involves.<sup>27</sup> Impact fees have become an accepted method of paying for public improvements that must be constructed to serve new growth.<sup>28</sup> In order for an impact fee to be a constitutional user fee and not an unconstitutional tax, the fee must meet a dual rational nexus test, in that the local government must demonstrate the impact fee is proportional and reasonably connected to, or has a rational nexus with:

- The need for additional capital facilities and the increased impact generated by the new residential or commercial construction; and
- The expenditure of the funds collected and the benefits accruing to the new residential or nonresidential construction.<sup>29</sup>

---

<sup>23</sup> "Urban sprawl" means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses. S. 163.3164, F.S.

<sup>24</sup> Section 163.3162(5), F.S.

<sup>25</sup> *Id.*

<sup>26</sup> Section 163.3162(4)(d), F.S.

<sup>27</sup> *Contractors & Builders Ass'n of Pinellas County v. City of Dunedin*, 329 So. 2d 314, 317-318 (Fla. 1976).

<sup>28</sup> *St. Johns County v. Ne. Florida Builders Ass'n, Inc.*, 583 So. 2d 635, 638 (Fla. 1991); s. 163.31801(2), F.S.

<sup>29</sup> *See St. Johns County* at 637. Codified at s. 163.31801(3)(f) and (g), F.S.

Impact fee calculations vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources, and the local government's determination to charge the full cost or only part of the cost of the infrastructure improvement through utilization of the impact fee.

### **Impact Fee Increases**

Section 163.31801(6), F.S., provides limitations on impact fee increases imposed by a local government, school district, or special district. An impact fee may increase only pursuant to a plan for the imposition, collection, and use of the increased impact fees as follows:

- An impact fee increase of not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted.
- If the increase in rate is between 25 and 50 percent of the current rate, the increase must be implemented in four equal annual installments.
- No impact fee increase may exceed 50 percent of the current impact fee rate.
- An impact fee may not be increased more than once every four years.
- An impact fee may not be increased retroactively for a previous or current fiscal or calendar year.

A local government, school district, or special district may increase an impact fee rate beyond these phase-in limitations if a local government, school district, or special district:

- Completes, within the 12-month period before the adoption of the impact fee increase, a demonstrated-need study justifying the increase and expressly demonstrating the *extraordinary circumstances* necessitating the need to exceed the limitations;
- Holds at least two publicly noticed workshops dedicated to the extraordinary circumstances necessitating the need to exceed the limitations; and
- Approves the impact fee increase ordinance by at least a two-thirds vote of the governing body.

### **Municipal Annexation**

A municipality may propose to annex any area of contiguous, compact, unincorporated territory by ordinance or may be petitioned for annexation by owner(s) of "contiguous... and reasonably compact" real property.<sup>30</sup> An area is considered "contiguous" if a substantial part of its boundary is coterminous with a part of the boundary of the municipality.<sup>31</sup> An area is compact if it is concentrated in a single area and does not create enclaves, pockets, or finger areas.<sup>32</sup> All lands to be annexed must be in the same county as the annexing municipality.<sup>33</sup>

The exact method of municipal annexation is proscribed by general law and includes involuntary and voluntary means of producing new municipal boundaries. Voluntary annexation, as provided by law, does not apply to municipalities in counties with charters which provide for an exclusive

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<sup>30</sup> Sections 171.0413(1) and 171.044(1), F.S.

<sup>31</sup> Section 171.031(11), F.S.

<sup>32</sup> Section 171.031(12), F.S.

<sup>33</sup> Section 171.045, F.S.

method of municipal annexation.<sup>34</sup> In such cases, the means established by county charter prevail.

### **Platting**

In Florida law, “plat” means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable state requirements and of any local ordinances.<sup>35</sup> Generally, platting is required whenever a developer wishes to subdivide a large piece of property into smaller parcels and tracts. These smaller areas become the residential lots, streets and parks of a new residential subdivision.<sup>36</sup>

State law establishes consistent minimum requirements for the establishment of plats, and local governing bodies have the power to regulate and control the platting of lands.<sup>37</sup> Prior to approval by the appropriate governing body, the plat must be reviewed for conformity with state and local law and sealed by a professional surveyor and mapper who is either employed by or under contract to the local governing body.<sup>38</sup>

Before a plat is offered for recording with the clerk of the circuit court, it must be approved by the appropriate governing body, and evidence of such approval must be placed on the plat. If not approved, the governing body must return the plat to the professional surveyor and mapper or the legal entity offering the plat for recordation.<sup>39</sup>

Jurisdiction over plat approval is as follows:<sup>40</sup>

- When the plat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat.
- When a plat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat.
- When a plat lies within the boundaries of more than one governing body, two plats must be prepared and each governing body has exclusive jurisdiction to approve the plat within its boundaries, unless the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

Every plat of a subdivision offered for recording must have certain information, including providing:<sup>41</sup>

- The name of the plat in bold legible letters, and the name of the subdivision, professional surveyor and mapper or legal entity, and street and mailing address on each sheet.

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<sup>34</sup> Section 171.044(4), F.S.

<sup>35</sup> Section 177.031(14), F.S.

<sup>36</sup> Harry W. Carls, Florida Condo & HOA Law Blog, May 17, 2018, *Why is a Plat so Important?*, <https://www.floridacondohoalawblog.com/2018/05/17/why-is-a-plat-so-important/> (last visited Mar. 11, 2025).

<sup>37</sup> Section 177.011, F.S.

<sup>38</sup> Section 177.081(1), F.S.

<sup>39</sup> Section 177.071(1) F.S.

<sup>40</sup> *Id.*

<sup>41</sup> Section 177.091, F.S.

- The section, township, and range immediately under the name of the plat on each sheet included, along with the name of the city, town, village, county, and state in which the land being platted is situated.
- The dedications and approvals by the surveyor and mapper and local governing body, and the circuit court clerk's certificate and the professional surveyor and mapper's seal and statement.
- All section lines and quarter section lines occurring within the subdivision. If the description is by metes and bounds, all information called for, such as the point of commencement, course bearings and distances, and the point of beginning. If the platted lands are in a land grant or are not included in the subdivision of government surveys, then the boundaries are to be defined by metes and bounds and courses.
- Location, width, and names of all streets, waterways, or other rights-of-way.
- Location and width of proposed easements and existing easements identified in the title opinion or property information report must be shown on the plat or in the notes or legend, and their intended use.
- All lots numbered either by progressive numbers or, if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.
- Sufficient survey data to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat.
- Designated park and recreation parcels.
- All interior excepted parcels clearly indicated and labeled "Not a part of this plat."
- The purpose of all areas dedicated clearly indicated or stated on the plat.
- That all platted utility easements must provide that such easements are also easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services interferes with the facilities and services of an electric, telephone, gas, or other public utility.

### **Homeowners' Associations**

Chapter 720, F.S., provides statutory recognition to corporations that operate residential communities in Florida as well as procedures for operating homeowners' associations. These laws protect the rights of association members without unduly impairing the ability of such associations to perform their functions.<sup>42</sup>

A "homeowners' association" is defined as a:<sup>43</sup>

Florida corporation responsible for the operation of a community or a mobile home subdivision in which the voting membership is made up of parcel owners or their agents, or a combination thereof, and in which membership is a mandatory condition of parcel ownership, and which is authorized to impose assessments that, if unpaid, may become a lien on the parcel.

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<sup>42</sup> See s. 720.302(1), F.S.

<sup>43</sup> Section 720.301(9), F.S.

Unless specifically stated to the contrary in the articles of incorporation, homeowners' associations are also governed by ch. 607, F.S., relating to for-profit corporations, or by ch. 617, F.S., relating to not-for-profit corporations.<sup>44</sup>

Homeowners' associations are administered by a board of directors that is elected by the members of the association.<sup>45</sup> The powers and duties of homeowners' associations include the powers and duties provided in ch. 720, F.S., and in the governing documents of the association, which include a recorded declaration of covenants, bylaws, articles of incorporation, and duly-adopted amendments to these documents.<sup>46</sup> The officers and members of a homeowners' association have a fiduciary relationship to the members who are served by the association.<sup>47</sup>

Unlike condominium associations, homeowners' associations are not regulated by a state agency. Section 720.302(2), F.S., expresses the legislative intent regarding the regulation of homeowners' associations:

The Legislature recognizes that it is not in the best interest of homeowners' associations or the individual association members thereof to create or impose a bureau or other agency of state government to regulate the affairs of homeowners' associations. However, in accordance with s. 720.311, [F.S.], the Legislature finds that homeowners' associations and their individual members will benefit from an expedited alternative process for resolution of election and recall disputes and presuit mediation of other disputes involving covenant enforcement and authorizes the department to hear, administer, and determine these disputes as more fully set forth in this chapter. Further, the Legislature recognizes that certain contract rights have been created for the benefit of homeowners' associations and members thereof before the effective date of this act and that ss. 720.301-720.407[, F.S.], are not intended to impair such contract rights, including, but not limited to, the rights of the developer to complete the community as initially contemplated.

The Division of Florida Condominiums, Timeshares, and Mobile Homes (division) within the Department of Business the Professional Regulation has limited regulatory authority over homeowners' associations. The division's authority is limited to the arbitration of recall election disputes.<sup>48</sup>

The governing documents of a homeowners' association are:<sup>49</sup>

- The recorded declaration of covenants for a community and all duly adopted and recorded amendments, supplements, and recorded exhibits thereto; and
- The articles of incorporation and bylaws of the homeowners' association and any duly adopted amendments thereto.

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<sup>44</sup> Section 720.302(5), F.S.

<sup>45</sup> See ss. 720.303 and 720.307, F.S.

<sup>46</sup> See ss. 720.301 and 720.303, F.S.

<sup>47</sup> Section 720.303(1), F.S.

<sup>48</sup> Section 720.306(9)(c), F.S.

<sup>49</sup> Section 720.301(8), F.S.

Section 720.301(3), F.S., defines a “community” as the real property that is or will be subject to a declaration of covenants which is recorded in the county where the property is located. The term “includes all real property, including undeveloped phases, that is or was the subject of a development-of-regional-impact development order, together with any approved modification thereto.”

### *Homeowners’ Association Assessments and Charges*

The governing documents of a homeowners’ association describe the manner in which expenses are shared and each member’s proportional share; assessments levied to members must be in the member’s proportional share.<sup>50</sup> In a homeowners’ association with mandatory maintenance or amenity fees, the developer or owner is required to publish<sup>51</sup> a complete financial report of the receipts of mandatory maintenance or amenity fees and an itemized listing of the resulting expenditures.<sup>52</sup>

A recent court case revolved around the question of whether such mandatory assessments for “expenses” could include funds that ultimately result in profits for a third party which operates recreational facilities in the community such as restaurants and pools.<sup>53</sup> The court held for the resident seeking to have those fees generating profits struck down, though some uncertainty remains due to the varied nature of these contractual relationships throughout the state in different associations.

## **III. Effect of Proposed Changes:**

### *Agricultural Enclaves*

**Section 2** in part amends s. 163.3162, F.S., to provide a substantially new mechanism for agricultural enclaves. Under the bill, the owner of an agricultural enclave may apply for administrative approval of development regardless of the future land use map designation of the parcel or any conflicting comprehensive plan goals, objectives, or policies if the owner’s request includes land uses and densities and intensities consistent with those approved for the industrial, commercial, or residential areas surrounding the parcel.

A proposed development authorized under this section must be administratively approved within 120 days, and no further action by the governing body of the local government is required. A local government may not enact or enforce regulations or laws more burdensome for agricultural enclave development than other types of development. Development so authorized must be treated going forward as a conforming use, notwithstanding the local government’s comprehensive plan and land use regulations.

Further, a local government must approve an application for development if it otherwise meets the section’s requirements and proposes only single-family residential, community gathering,

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<sup>50</sup> Section 720.308, F.S.

<sup>51</sup> Publication may be by mailing it to each owner, by publishing it in a publication regularly distributed within the subdivision, or by posting it in prominent locations in the subdivision.

<sup>52</sup> Section 720.3086, F.S.

<sup>53</sup> *Avatar Properties, Inc., v. Gundel*, 372 So.3d 715 (Fla. 6<sup>th</sup> DCA 2023).

and recreational uses at a density not exceeding the average density of adjacent parcels. A local government must treat an agricultural enclave adjacent to an urban service district as if it were within the urban service district.<sup>54</sup>

The bill otherwise removes the existing process related to agricultural enclaves.

**Section 3** in part amends s. 163.3164(4), F.S., the definition of “agricultural enclave.” The bill expands the definition to include that an agricultural enclave may include multiple parcels. The bill also provides that, as an alternative to the requirement that an enclave be 75 percent surrounded by existing development or planned development, a parcel or set of parcels may be either:

- Less than 700 acres 50 percent surrounded by planned development and sharing 50 percent of its perimeter with an urban service district, area, or line satisfies the requirement to be considered an enclave; or
- Located within the boundary of a rural study area adopted in the local government’s comprehensive plan as of January 1, 2025, which was intended to be developed with residential uses at a density of at least one dwelling unit per acre and at least 50 percent surrounded by parcels designated for industrial, commercial, or residential purposes.

The amended definition also provides that property not currently equipped with public services may nonetheless be an agricultural enclave if the applicant offers to agree to pay for, construct, or contribute proportionate share for concurrency purposes.

### *Comprehensive Plan Elements and Amendments*

**Section 2** in part amends s. 163.3162, F.S., to provide that, for the purposes of agricultural land uses, the production of ethanol from plants and plant products by fermentation, distillation, and drying is not chemical manufacturing or refining. The section provides that this provision is intended to be remedial and clarifying and, as such, apply retroactively.

**Section 3** in part amends s. 163.3164(9), F.S., the definition of “compatibility” for the purposes of the Community Planning Act, to provide that all residential land use categories, residential zoning categories, and housing types are compatible with each other. Some comprehensive plans will require a development to demonstrate that development is compatible with existing land uses; this amendment provides a short cut to meeting such a requirement.

**Section 5** amends s. 163.3177, F.S., to make two amendments to required and optional elements of a comprehensive plan. First, the section provides that a local government must not mandate that one particular professionally accepted methodology in data collection in support of a comprehensive plan amendment is better than another. Second, the section prohibits optional elements of the comprehensive plan from containing policies which restrict the density or intensity established in the future land use element.

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<sup>54</sup> “Urban service area” means areas identified in the comprehensive plan where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements element. The term includes any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation. S. 163.3164, F.S.

**Section 7** in part amends s. 163.3184(11), F.S., to provide that the adoption by ordinance of a comprehensive plan or plan amendment that contains more restrictive or burdensome procedures concerning development must be approved by a supermajority vote of the members of the governing body.

**Section 7** further amends s. 163.3184(14), F.S., to provide that an owner of real property subject to a comprehensive plan amendment or an applicant for such an amendment not adopted by the local government and who is not provided the opportunity for a hearing within 180 days after filing the application, may file a civil action for declaratory, injunctive, or other relief, which must be reviewed de novo. In such a proceeding the local government has the burden of providing by a preponderance of the evidence that the application is inconsistent with the local government's comprehensive plan. The court may not use a deferential standard for the benefit of the local government, and shall independently determine whether the local government's existing comprehensive plan is in compliance. This section is put forward as an alternative to the existing amendment challenge process which routes grievances through DOAH.

### ***Land Development Regulations***

**Sections 1 and 9** amend ss. 125.022 and 166.033, F.S., to provide that a county or municipality, respectively, may not require an applicant to install, pay a fee for, or reimburse the costs of a work of art as a condition of processing or issuing a development permit or order.

**Section 8** amends s. 163.3206, F.S., to amend the definition of "fuel terminal" to include situations where fuel is transferred and loaded through means other than from a loading rack into trucks or rail cars. Further, the term includes adjacent submerged lands or waters used by marine vessels or marine barges for loading and offloading.

The section further provides that a prohibition on amending land use and development regulations in a manner that would conflict with a fuel terminal's classification does not apply if the fuel terminal's owner notifies the local government that the fuel terminal is to be decommissioned.

**Section 12** amends s. 177.071, F.S., to provide that an agency approving a plat, which may include a board, committee, employee, or consultant, shall administer plat submittals and, within 45 days after receipt of a plat submittal, must recommend approval or provide written comments specifying areas of noncompliance. Upon recommending approval, the governing body shall at its next regularly scheduled meeting grant final administrative approval of the plat unless it determines error to have occurred in the recommendation.

### ***Impact Fees***

**Section 6** amends s. 163.31801, F.S., to provide a definition of "extraordinary circumstance" for the purposes of raising impact fees beyond the statutorily prescribed percentage.

- For a county, an extraordinary circumstance is when the permanent population estimate determined for the county by the University of Florida Bureau of Economic and Business Research is at least 1.25 times the 5-year high-series population projection for the county as published immediately before the year of the population estimate.
- For a municipality, an extraordinary circumstance is when the municipality is located within

a county experiencing extraordinary circumstances as above, and the municipality demonstrates that it has maintained a proportionate share of population growth over the preceding 5 years.

### ***Municipal Annexation***

**Section 4** amends s. 163.3167, F.S., to provide that, for the purposes of an existing prohibition on initiative or referendum processes regarding land development regulations, the term “land development regulation” includes any code, ordinance, rule, or charter provision regulating or affecting the use of land, including density regulations, municipal boundary lines, and regulations that could otherwise be accomplished or affected through the comprehensive planning process. This amendment most significantly includes municipal boundary lines, which have previously in certain circumstances been affected by referendums.

**Section 10** amends s. 171.044, F.S., to provide that an exclusive method of voluntary annexation provided in a county charter may not affect the powers granted to a municipality to assume control over the land use plan of the annexed area or prevent a municipality from exercising the municipal power to ratify a voluntary annexation. The section provides legislative intent that the grant of authority to charter counties to create a method of voluntary annexation was not intended to prevent municipalities from assuming control over land use regulations. The section is intended to be remedial and clarifying, and as such function retroactively.

**Section 11** amends s. 171.062, F.S., to conform with the amendments made by section 10. The section specifies that the assumption of land use regulation by the municipality is a power contemplated in s. 4, Art. VIII of the State Constitution, including by those municipalities in counties with charters providing for voluntary annexation. The section is intended to be remedial and clarifying, and as such function retroactively.

### ***Homeowners’ Associations and Recreational Covenants (Sections 13 through 21)***

The bill introduces to statute the concept of recreational covenants by creating Part IV of chapter 720, consisting of ss. 720.408-720.412, F.S., entitled “Recreational Covenants,” intended to provide certain protections for parcel owners and give statutory recognition to the use of recreational covenants.

The bill defines a recreational covenant as a recorded covenant which provides the nature and requirements of a membership in or use of privately owned commercial recreational facilities or amenities for parcel owners. It must be recorded in the public records, contain information regarding the amenity dues imposed, and require mandatory membership or mandatory payment of amenity dues. Amenity expenses, fees, and dues are defined to include those amounts paid under recreational covenants, which may include being paid to a third party, may include profits, and does not include expenses of a homeowners’ association.

A recreational covenant must be contained in a document specifying:

- The parcels subject to mandatory membership in a club or to the imposition of mandatory dues;
- The person responsible for owning, maintaining, and operating recreational facilities and amenities;

- The manner in which amenity dues are apportioned and collected;
- The amount of any amenity fees;
- The manner in which fees may be increased;
- Collection rights and remedies available for enforcement; and
- Statements on whether the collection rights are subordinate to an association's assessment rights, and whether the facilities and amenities are open to the public or may be used by nonmembers.

A recreational covenant recorded before July 1, 2025, must be amended or supplemented to comply with these requirements by July 1, 2026. The bill contains provisions for situations governing recreational covenants lacking specific mechanisms for the increase of fees and expense costs. The bill provides for the relationship between the parties to a recreational covenant and the otherwise governing homeowners' association, as well as provisions for the termination of a recreational covenant.

The bill provides a disclosure that must be included in the contract for sale of a parcel subject to a recreational covenant beginning October 1, 2025, and includes a financial reporting requirement for the reporting of collections and expenditures under recreational covenants.

The amendments made by the bill related to homeowner associations are intended to clarify existing law and apply retroactively, without reviving or reinstating any right or interest fully adjudicated as invalid before July 1, 2025.

***Effective Date***

The bill takes effect July 1, 2025.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

***Single Subject***

The bill, entitled an act related to land use and development regulations, contains provisions relating to what might be considered a variety of subjects. Article III, s. 6 of the State Constitution requires that a bill must pertain “to one subject and matter properly connected to the” title of the bill. Courts have interpreted this to mean:

A connection between a provision and the subject is proper (1) if the connection is natural or logical, or (2) if there is a reasonable explanation for how the provision is (a) necessary to the subject or (b) tends to make effective or promote the objects and purposes of legislation included in the subject.<sup>55</sup>

The single subject clause may be implicated as to whether the title embraces one subject, whether the variety of provisions stem naturally from the title, and whether those provisions have a “natural and logical” connection.

***Retroactivity and Impairment of Contracts***

Sections of the bill related to the classification of ethanol production, the powers of a municipality following voluntary annexation, and homeowners’ associations, which are relationships built on contracts over time, are intended to clarify existing law and apply retroactively.

Under Florida law, statutes are presumed to operate prospectively, not retroactively. In other words, statutes generally apply only to actions that occur on or after the effective date of the legislation, not before the legislation becomes effective. The Florida Supreme Court has noted that, under the rules of statutory construction, if statutes are to operate retroactively, the Legislature must clearly express that intent for the statute to be valid.<sup>56</sup> When statutes that are expressly retroactive have been litigated and appealed, the courts have been asked to determine whether the statute applies to cases that were pending at the time the statute went into effect. The conclusion often depends on whether the statute is procedural or substantive.

Florida’s contracts clause states that “no bill of attainder, ex post facto law or law impairing the obligation of contracts shall be passed.”<sup>57</sup> An impairment may be constitutional if it is reasonable and necessary to serve an important public purpose. However, where the impairment is severe, “[t]he severity of the impairment is said to increase the level of scrutiny to which the legislation will be subjected.” There must be a “significant and legitimate public purpose behind the regulation.”<sup>58</sup>

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<sup>55</sup> See, e.g., *Franklin v. State*, 887 So. 2d 1063, 1078-79 (Fla. 2004); *Envtl. Confed. of Sw. Fla. v. State*, 886 So. 2d 1013, 1018-19 (Fla. 1st DCA 2004).

<sup>56</sup> *Walker & LaBerge, Inc., v. Halligan*, 344 So. 2d 239 (Fla. 1977).

<sup>57</sup> FLA. CONST. art. I, s. 10.

<sup>58</sup> *Searcy, Denney, Scarola, Barnhart & Shipley, etc. v. State*, 209 So. 3d 1181, 1192 (Fla. 2017) (internal citations omitted for clarity).

To the extent that the provisions related to homeowners' associations improperly apply retroactively or have the effect of impairing existing contracts, questions of constitutional validity may arise.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

There may be a positive impact on the private sector to the extent that the bill's provisions simplify forthcoming development and bring clarity to certain contractual relationships.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 125.022, 163.3162, 163.3164, 163.3167, 163.3177, 163.31801, 163.3184, 163.3206, 166.033, 171.044, 171.062, 177.071, 720.301, 720.302, and 720.3086.

This bill creates the following section of the Florida Statutes: 720.408-720.412.

**IX. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on March 17, 2025:**

The committee substitute:

- Prohibits a county or municipality from requiring the installation of a work of art as a precondition to issuing a development permit;
- Provides that the approval of development allowed on an agricultural enclave must be within 120 days after application;

- Provides that the definition of an agricultural enclave may include up to 700 acres for the second boundary calculation (where the bill as filed specifies 640) and as a third alternative may be any property within the bounds of a rural study area intended for residential use;
- Provides that property not currently equipped with public services may nonetheless be an agricultural enclave if the applicant offers to agree to pay for, construct, or contribute proportionate share for concurrency purposes;
- Provides that the production of ethanol as it is used in the context of agricultural purposes is not considered chemical manufacturing or refining;
- Provides that the prohibition on initiatives or referendum processes for land use regulations includes any code, ordinance, rule, or charter provision, density regulations, and municipal boundaries;
- Redefines “extraordinary circumstances” for the purposes of impact fee increases to include a calculation based on population growth;
- Extends the requirement for supermajority votes to include those amendments reducing density;
- Removes provisions mandating administrative approval of residential infill development, and requiring minimum lot sizes to maximize density;
- Introduces a section relating to the definition of fuel terminals;
- Introduces sections relating to voluntary municipal annexation, which protect the assumption of land use regulation by a municipality which annexes unincorporated land;
- Introduces a timeline and procedures for meetings on and review of plat submittals; and
- Revises the current bill’s sections on homeowners’ associations. The introduction of “recreational covenants” is substantially similar in scope, while the amendment organizes these provisions into a newly created part IV for ch. 720, F.S.

**B. Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Community Affairs (McClain) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (8) is added to section 125.022,  
Florida Statutes, to read:

125.022 Development permits and orders.—

(8) A county may not as a condition of processing or  
issuing a development permit or development order require an  
applicant to install a work of art, pay a fee for a work of art,



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11 or reimburse the county for any costs that the county may incur  
12 related to a work of art.

13 Section 2. Subsections (1) and (4) of section 163.3162,  
14 Florida Statutes, are amended, and subsection (5) is added to  
15 that section, to read:

16 163.3162 Agricultural lands and practices.—

17 (1) LEGISLATIVE FINDINGS AND PURPOSE.—The Legislature finds  
18 that agricultural production is a major contributor to the  
19 economy of the state; that agricultural lands constitute unique  
20 and irreplaceable resources of statewide importance; that the  
21 continuation of agricultural activities preserves the landscape  
22 and environmental resources of the state, contributes to the  
23 increase of tourism, and furthers the economic self-sufficiency  
24 of the people of the state; and that the encouragement,  
25 development, and improvement of agriculture will result in a  
26 general benefit to the health, safety, and welfare of the people  
27 of the state. It is the purpose of this act to protect  
28 reasonable agricultural activities conducted on farm lands from  
29 duplicative regulation and to protect the property rights of  
30 agricultural land owners.

31 (4) ADMINISTRATIVE APPROVAL ~~AMENDMENT TO LOCAL GOVERNMENT~~  
32 ~~COMPREHENSIVE PLAN.~~—The owner of a ~~parcel of~~ land defined as an  
33 agricultural enclave under s. 163.3164 may apply for  
34 administrative approval of development regardless of the future  
35 land use map designation of the parcel or any conflicting  
36 comprehensive plan goals, objectives, or policies if the owner's  
37 request an amendment to the local government comprehensive plan  
38 ~~pursuant to s. 163.3184. Such amendment is presumed not to be~~  
39 ~~urban sprawl as defined in s. 163.3164 if it includes land uses~~



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40 and densities and intensities of use that are consistent with  
41 the approved uses and densities and intensities of use of the  
42 industrial, commercial, or residential areas that surround the  
43 parcel. ~~This presumption may be rebutted by clear and convincing~~  
44 evidence. Each application for administrative approval a  
45 ~~comprehensive plan amendment~~ under this subsection for a parcel  
46 larger than ~~700~~ 640 acres must include appropriate new urbanism  
47 concepts such as clustering, mixed-use development, the creation  
48 of rural village and city centers, and the transfer of  
49 development rights in order to discourage urban sprawl while  
50 protecting landowner rights. A development authorized under this  
51 subsection must be treated as a conforming use, notwithstanding  
52 the local government's comprehensive plan, future land use  
53 designation, or zoning.

54 (a) A proposed development authorized under this subsection  
55 must be administratively approved within 120 days after the date  
56 the local government receives a complete application, and no  
57 further action by the governing body of the local government is  
58 required. A ~~The~~ local government may not enact or enforce any  
59 regulation or law for an agricultural enclave that is more  
60 burdensome than for other types of applications for comparable  
61 densities or intensities of use. Notwithstanding the future land  
62 use designation of the agricultural enclave or whether it is  
63 included in an urban service district, a local government must  
64 approve the application if it otherwise complies with this  
65 subsection and proposes only single-family residential,  
66 community gathering, and recreational uses at a density that  
67 does not exceed the average density allowed by a future land use  
68 designation on any adjacent parcel that allows a density of at



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69 ~~least one dwelling unit per acre. A local government shall treat~~  
70 ~~an agricultural enclave that is adjacent to an urban service~~  
71 ~~district as if it were within the urban service district and the~~  
72 ~~owner of a parcel of land that is the subject of an application~~  
73 ~~for an amendment shall have 180 days following the date that the~~  
74 ~~local government receives a complete application to negotiate in~~  
75 ~~good faith to reach consensus on the land uses and intensities~~  
76 ~~of use that are consistent with the uses and intensities of use~~  
77 ~~of the industrial, commercial, or residential areas that~~  
78 ~~surround the parcel. Within 30 days after the local government's~~  
79 ~~receipt of such an application, the local government and owner~~  
80 ~~must agree in writing to a schedule for information submittal,~~  
81 ~~public hearings, negotiations, and final action on the~~  
82 ~~amendment, which schedule may thereafter be altered only with~~  
83 ~~the written consent of the local government and the owner.~~  
84 ~~Compliance with the schedule in the written agreement~~  
85 ~~constitutes good faith negotiations for purposes of paragraph~~  
86 ~~(c).~~

87       ~~(b) Upon conclusion of good faith negotiations under~~  
88 ~~paragraph (a), regardless of whether the local government and~~  
89 ~~owner reach consensus on the land uses and intensities of use~~  
90 ~~that are consistent with the uses and intensities of use of the~~  
91 ~~industrial, commercial, or residential areas that surround the~~  
92 ~~parcel, the amendment must be transmitted to the state land~~  
93 ~~planning agency for review pursuant to s. 163.3184. If the local~~  
94 ~~government fails to transmit the amendment within 180 days after~~  
95 ~~receipt of a complete application, the amendment must be~~  
96 ~~immediately transferred to the state land planning agency for~~  
97 ~~such review. A plan amendment transmitted to the state land~~



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98 ~~planning agency submitted under this subsection is presumed not~~  
99 ~~to be urban sprawl as defined in s. 163.3164. This presumption~~  
100 ~~may be rebutted by clear and convincing evidence.~~

101 ~~(c) If the owner fails to negotiate in good faith, a plan~~  
102 ~~amendment submitted under this subsection is not entitled to the~~  
103 ~~rebuttable presumption under this subsection in the negotiation~~  
104 ~~and amendment process.~~

105 ~~(d)~~ Nothing within this subsection relating to agricultural  
106 enclaves shall preempt or replace any protection currently  
107 existing for any property located within the boundaries of the  
108 following areas:

- 109 1. The Wekiva Study Area, as described in s. 369.316; or  
110 2. The Everglades Protection Area, as defined in s.  
111 373.4592(2).

112 (5) PRODUCTION OF ETHANOL.—For the purposes of this  
113 section, the production of ethanol from plants and plant  
114 products as defined in s. 581.011 by fermentation, distillation,  
115 and drying is not chemical manufacturing or chemical refining.  
116 This subsection is remedial and clarifying in nature and applies  
117 retroactively to any law, regulation, or ordinance or any  
118 interpretation thereof.

119 Section 3. Present subsections (22) through (54) of section  
120 163.3164, Florida Statutes, are redesignated as subsections (23)  
121 through (55), respectively, a new subsection (22) is added to  
122 that section, and subsections (4) and (9) of that section are  
123 amended, to read:

124 163.3164 Community Planning Act; definitions.—As used in  
125 this act:

126 (4) "Agricultural enclave" means an unincorporated,



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127 undeveloped parcel or parcels that:

128 (a) Are ~~is~~ owned or controlled by a single person or  
129 entity;

130 (b) Have ~~Has~~ been in continuous use for bona fide  
131 agricultural purposes, as defined by s. 193.461, for a period of  
132 5 years before ~~prior to~~ the date of any comprehensive plan  
133 amendment or development application;

134 (c) 1. Are ~~is~~ surrounded on at least 75 percent of their ~~its~~  
135 perimeter by:

136 a.1. A parcel or parcels ~~Property~~ that have ~~has~~ existing  
137 industrial, commercial, or residential development; or

138 b.2. A parcel or parcels ~~Property~~ that the local government  
139 has designated, in the local government's comprehensive plan,  
140 zoning map, and future land use map, as land that is to be  
141 developed for industrial, commercial, or residential purposes,  
142 and at least 75 percent of such parcel or parcels are ~~property~~  
143 ~~is~~ existing industrial, commercial, or residential development;

144 2. Do not exceed 700 acres and are surrounded on at least  
145 50 percent of their perimeter by a parcel or parcels that the  
146 local government has designated in the local government's  
147 comprehensive plan and future land use map as land that is to be  
148 developed for industrial, commercial, or residential purposes;  
149 and the parcel or parcels are surrounded on at least 50 percent  
150 of their perimeter by a parcel or parcels within an urban  
151 service district, area, or line; or

152 3. Were located within the boundary of a rural study area  
153 adopted in the local government's comprehensive plan as of  
154 January 1, 2025, which was intended to be developed with  
155 residential uses at a density of at least one dwelling unit per



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156 acre and was surrounded on at least 50 percent of the study  
157 area's perimeter in the local government's jurisdiction by a  
158 parcel or parcels that either are designated in the local  
159 government's comprehensive plan and future land use map as land  
160 that can be developed for industrial, commercial, or residential  
161 purposes or which has been developed with industrial,  
162 commercial, or residential uses;

163 (d) Have ~~Has~~ public services, including water, wastewater,  
164 transportation, schools, and recreation facilities, available or  
165 such public services are scheduled in the capital improvement  
166 element to be provided by the local government or can be  
167 provided by an alternative provider of local government  
168 infrastructure in order to ensure consistency with applicable  
169 concurrency provisions of s. 163.3180, or the applicant offers  
170 to enter into a binding agreement to pay for, construct, or  
171 contribute land for its proportionate share of such  
172 improvements; and

173 (e) Do ~~Does~~ not exceed 1,280 acres; however, if the parcel  
174 or parcels are ~~property is~~ surrounded by existing or authorized  
175 residential development that will result in a density at  
176 buildout of at least 1,000 residents per square mile, ~~then~~ the  
177 area must ~~shall~~ be determined to be urban and the parcel or  
178 parcels may not exceed 4,480 acres.

179  
180 Where a right-of-way, body of water, or canal exists along the  
181 perimeter of a parcel, the perimeter calculations of the  
182 agricultural enclave must be based on the parcel or parcels  
183 across the right-of-way, body of water, or canal.

184 (9) "Compatibility" means a condition in which land uses or



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185 conditions can coexist in relative proximity to each other in a  
186 stable fashion over time such that no use or condition is unduly  
187 negatively impacted directly or indirectly by another use or  
188 condition. All residential land use categories, residential  
189 zoning categories, and housing types are compatible with each  
190 other.

191 (22) "Infill residential development" means the development  
192 of one or more parcels that are no more than 100 acres in size  
193 within a future land use category that allows a residential use  
194 and any zoning district that allows a residential use and which  
195 parcels are contiguous with residential development on at least  
196 50 percent of the parcels' boundaries. For purposes of this  
197 subsection, the term "contiguous" means touching, bordering, or  
198 adjoining along a boundary and includes properties that would be  
199 contiguous if not separated by a roadway, railroad, canal, or  
200 other public easement.

201 Section 4. Paragraphs (b) and (e) of subsection (8) of  
202 section 163.3167, Florida Statutes, are amended to read:

203 163.3167 Scope of act.—

204 (8)

205 (b) An initiative or referendum process in regard to any  
206 land development regulation is prohibited. For purposes of this  
207 paragraph, the term "land development regulation" includes any  
208 code, ordinance, rule, or charter provision that regulates or  
209 otherwise affects the use of land, including, but not limited  
210 to, density regulations; municipal boundary lines, except as  
211 specified in s. 171.044; and any regulation that could otherwise  
212 be accomplished or affected through the comprehensive planning  
213 process.



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214 (e) It is the intent of the Legislature that initiative and  
215 referendum be prohibited in regard to any development order or  
216 land development regulation. It is the intent of the Legislature  
217 that initiative and referendum be prohibited in regard to any  
218 local comprehensive plan amendment or map amendment, except as  
219 specifically and narrowly allowed by paragraph (c). Therefore,  
220 the prohibition on initiative and referendum imposed under this  
221 subsection ~~stated in paragraphs (a) and (c)~~ is remedial in  
222 nature and applies retroactively to any initiative or referendum  
223 process commenced after June 1, 2011, and any such initiative or  
224 referendum process commenced or completed thereafter is deemed  
225 null and void and of no legal force and effect.

226 Section 5. Paragraph (f) of subsection (1) and subsection  
227 (2) of section 163.3177, Florida Statutes, are amended to read:  
228 163.3177 Required and optional elements of comprehensive  
229 plan; studies and surveys.—

230 (1) The comprehensive plan shall provide the principles,  
231 guidelines, standards, and strategies for the orderly and  
232 balanced future economic, social, physical, environmental, and  
233 fiscal development of the area that reflects community  
234 commitments to implement the plan and its elements. These  
235 principles and strategies shall guide future decisions in a  
236 consistent manner and shall contain programs and activities to  
237 ensure comprehensive plans are implemented. The sections of the  
238 comprehensive plan containing the principles and strategies,  
239 generally provided as goals, objectives, and policies, shall  
240 describe how the local government's programs, activities, and  
241 land development regulations will be initiated, modified, or  
242 continued to implement the comprehensive plan in a consistent



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243 manner. It is not the intent of this part to require the  
244 inclusion of implementing regulations in the comprehensive plan  
245 but rather to require identification of those programs,  
246 activities, and land development regulations that will be part  
247 of the strategy for implementing the comprehensive plan and the  
248 principles that describe how the programs, activities, and land  
249 development regulations will be carried out. The plan shall  
250 establish meaningful and predictable standards for the use and  
251 development of land and provide meaningful guidelines for the  
252 content of more detailed land development and use regulations.

253 (f) All mandatory and optional elements of the  
254 comprehensive plan and plan amendments shall be based upon  
255 relevant and appropriate data and an analysis by the local  
256 government that may include, but not be limited to, surveys,  
257 studies, community goals and vision, and other data available at  
258 the time of adoption of the comprehensive plan or plan  
259 amendment. To be based on data means to react to it in an  
260 appropriate way and to the extent necessary indicated by the  
261 data available on that particular subject at the time of  
262 adoption of the plan or plan amendment at issue.

263 1. Surveys, studies, and data utilized in the preparation  
264 of the comprehensive plan may not be deemed a part of the  
265 comprehensive plan unless adopted as a part of it. Copies of  
266 such studies, surveys, data, and supporting documents for  
267 proposed plans and plan amendments shall be made available for  
268 public inspection, and copies of such plans shall be made  
269 available to the public upon payment of reasonable charges for  
270 reproduction. Support data or summaries are not subject to the  
271 compliance review process, but the comprehensive plan must be



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272 clearly based on appropriate data. Support data or summaries may  
273 be used to aid in the determination of compliance and  
274 consistency.

275         2. Data must be taken from professionally accepted sources.  
276 The application of a methodology utilized in data collection or  
277 whether a particular methodology is professionally accepted may  
278 be evaluated. However, the evaluation may not include, and a  
279 comprehensive plan may not mandate, whether one accepted  
280 methodology is better than another. Original data collection by  
281 local governments is not required. However, local governments  
282 may use original data so long as methodologies are  
283 professionally accepted.

284         3. The comprehensive plan shall be based upon permanent and  
285 seasonal population estimates and projections, which shall  
286 either be those published by the Office of Economic and  
287 Demographic Research or generated by the local government based  
288 upon a professionally acceptable methodology. The plan must be  
289 based on at least the minimum amount of land required to  
290 accommodate the medium projections as published by the Office of  
291 Economic and Demographic Research for at least a 10-year  
292 planning period unless otherwise limited under s. 380.05,  
293 including related rules of the Administration Commission. Absent  
294 physical limitations on population growth, population  
295 projections for each municipality, and the unincorporated area  
296 within a county must, at a minimum, be reflective of each area's  
297 proportional share of the total county population and the total  
298 county population growth.

299         (2) Coordination of the required and optional ~~several~~  
300 elements of the local comprehensive plan must ~~shall~~ be a major



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301 objective of the planning process. The required and optional  
302 ~~several~~ elements of the comprehensive plan must ~~shall~~ be  
303 consistent. Optional elements of the comprehensive plan may not  
304 contain policies that restrict the density or intensity  
305 established in the future land use element. Where data is  
306 relevant to required and optional ~~several~~ elements, consistent  
307 data must ~~shall~~ be used, including population estimates and  
308 projections unless alternative data can be justified by an  
309 applicant for a plan amendment through new supporting data and  
310 analysis. Each map depicting future conditions must reflect the  
311 principles, guidelines, and standards within all elements, and  
312 each such map must be contained within the comprehensive plan.

313 Section 6. Present paragraphs (a) and (b) of subsection (3)  
314 of section 163.31801, Florida Statutes, are redesignated as  
315 paragraphs (b) and (c), respectively, a new paragraph (a) is  
316 added to that subsection, and paragraph (g) of subsection (6) of  
317 that section is republished, to read:

318 163.31801 Impact fees; short title; intent; minimum  
319 requirements; audits; challenges.—

320 (3) For purposes of this section, the term:

321 (a) “Extraordinary circumstance” means:

322 1. For a county, that the permanent population estimate  
323 determined for the county by the University of Florida Bureau of  
324 Economic and Business Research is at least 1.25 times the 5-year  
325 high-series population projection for the county as published by  
326 the University of Florida Bureau of Economic and Business  
327 Research immediately before the year of the population estimate;  
328 or

329 2. For a municipality, that the municipality is located



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330 within a county with such a permanent population estimate and  
331 the municipality demonstrates that it has maintained a  
332 proportionate share of the county's population growth during the  
333 preceding 5-year period.

334 (6) A local government, school district, or special  
335 district may increase an impact fee only as provided in this  
336 subsection.

337 (g) A local government, school district, or special  
338 district may increase an impact fee rate beyond the phase-in  
339 limitations established under paragraph (b), paragraph (c),  
340 paragraph (d), or paragraph (e) by establishing the need for  
341 such increase in full compliance with the requirements of  
342 subsection (4), provided the following criteria are met:

343 1. A demonstrated-need study justifying any increase in  
344 excess of those authorized in paragraph (b), paragraph (c),  
345 paragraph (d), or paragraph (e) has been completed within the 12  
346 months before the adoption of the impact fee increase and  
347 expressly demonstrates the extraordinary circumstances  
348 necessitating the need to exceed the phase-in limitations.

349 2. The local government jurisdiction has held not less than  
350 two publicly noticed workshops dedicated to the extraordinary  
351 circumstances necessitating the need to exceed the phase-in  
352 limitations set forth in paragraph (b), paragraph (c), paragraph  
353 (d), or paragraph (e).

354 3. The impact fee increase ordinance is approved by at  
355 least a two-thirds vote of the governing body.

356 Section 7. Subsection (3) and paragraph (a) of subsection  
357 (11) of section 163.3184, Florida Statutes, are amended, and  
358 subsection (14) is added to that section, to read:



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359 163.3184 Process for adoption of comprehensive plan or plan  
360 amendment.—

361 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF  
362 COMPREHENSIVE PLAN AMENDMENTS.—

363 (a) The process for amending a comprehensive plan described  
364 in this subsection shall apply to all amendments except as  
365 provided in paragraphs (2) (b) and (c) and shall be applicable  
366 statewide.

367 (b)1. If a plan amendment or amendments are adopted, the  
368 local government, after the initial public hearing held pursuant  
369 to subsection (11), must ~~shall~~ transmit, within 10 working days  
370 after the date of adoption, the amendment or amendments and  
371 appropriate supporting data and analyses to the reviewing  
372 agencies. The local governing body must ~~shall~~ also transmit a  
373 copy of the amendments and supporting data and analyses to any  
374 other local government or governmental agency that has filed a  
375 written request with the governing body.

376 2. The reviewing agencies and any other local government or  
377 governmental agency specified in subparagraph 1. may provide  
378 comments regarding the amendment or amendments to the local  
379 government. State agencies shall only comment on important state  
380 resources and facilities that will be adversely impacted by the  
381 amendment if adopted. Comments provided by state agencies shall  
382 state with specificity how the plan amendment will adversely  
383 impact an important state resource or facility and shall  
384 identify measures the local government may take to eliminate,  
385 reduce, or mitigate the adverse impacts. Such comments, if not  
386 resolved, may result in a challenge by the state land planning  
387 agency to the plan amendment. Agencies and local governments



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388 must transmit their comments to the affected local government  
389 such that they are received by the local government not later  
390 than 30 days after the date on which the agency or government  
391 received the amendment or amendments. Reviewing agencies shall  
392 also send a copy of their comments to the state land planning  
393 agency.

394         3. Comments to the local government from a regional  
395 planning council, county, or municipality shall be limited as  
396 follows:

397             a. The regional planning council review and comments shall  
398 be limited to adverse effects on regional resources or  
399 facilities identified in the strategic regional policy plan and  
400 extrajurisdictional impacts that would be inconsistent with the  
401 comprehensive plan of any affected local government within the  
402 region. A regional planning council may not review and comment  
403 on a proposed comprehensive plan amendment prepared by such  
404 council unless the plan amendment has been changed by the local  
405 government subsequent to the preparation of the plan amendment  
406 by the regional planning council.

407             b. County comments shall be in the context of the  
408 relationship and effect of the proposed plan amendments on the  
409 county plan.

410             c. Municipal comments shall be in the context of the  
411 relationship and effect of the proposed plan amendments on the  
412 municipal plan.

413             d. Military installation comments shall be provided in  
414 accordance with s. 163.3175.

415         4. Comments to the local government from state agencies  
416 shall be limited to the following subjects as they relate to



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417 important state resources and facilities that will be adversely  
418 impacted by the amendment if adopted:

419       a. The Department of Environmental Protection shall limit  
420 its comments to the subjects of air and water pollution;  
421 wetlands and other surface waters of the state; federal and  
422 state-owned lands and interest in lands, including state parks,  
423 greenways and trails, and conservation easements; solid waste;  
424 water and wastewater treatment; and the Everglades ecosystem  
425 restoration.

426       b. The Department of State shall limit its comments to the  
427 subjects of historic and archaeological resources.

428       c. The Department of Transportation shall limit its  
429 comments to issues within the agency's jurisdiction as it  
430 relates to transportation resources and facilities of state  
431 importance.

432       d. The Fish and Wildlife Conservation Commission shall  
433 limit its comments to subjects relating to fish and wildlife  
434 habitat and listed species and their habitat.

435       e. The Department of Agriculture and Consumer Services  
436 shall limit its comments to the subjects of agriculture,  
437 forestry, and aquaculture issues.

438       f. The Department of Education shall limit its comments to  
439 the subject of public school facilities.

440       g. The appropriate water management district shall limit  
441 its comments to flood protection and floodplain management,  
442 wetlands and other surface waters, and regional water supply.

443       h. The state land planning agency shall limit its comments  
444 to important state resources and facilities outside the  
445 jurisdiction of other commenting state agencies and may include



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446 comments on countervailing planning policies and objectives  
447 served by the plan amendment that should be balanced against  
448 potential adverse impacts to important state resources and  
449 facilities.

450 (c)1. The local government shall hold a second public  
451 hearing, which shall be a hearing on whether to adopt one or  
452 more comprehensive plan amendments pursuant to subsection (11).  
453 If the local government fails, within 180 days after receipt of  
454 agency comments, to hold the second public hearing, ~~and to adopt~~  
455 ~~the comprehensive plan amendments,~~ the amendments are deemed  
456 withdrawn unless extended by agreement with notice to the state  
457 land planning agency and any affected person that provided  
458 comments on the amendment. The local government is in compliance  
459 if the second public hearing is held within the 180-day period  
460 after receipt of agency comments, even if the amendments are  
461 approved at a subsequent hearing. The 180-day limitation does  
462 not apply to amendments processed pursuant to s. 380.06.

463 2. All comprehensive plan amendments adopted by the  
464 governing body, along with the supporting data and analysis,  
465 shall be transmitted within 10 working days after the final  
466 adoption hearing to the state land planning agency and any other  
467 agency or local government that provided timely comments under  
468 subparagraph (b)2. If the local government fails to transmit the  
469 comprehensive plan amendments within 10 working days after the  
470 final adoption hearing, the amendments are deemed withdrawn.

471 3. The state land planning agency shall notify the local  
472 government of any deficiencies within 5 working days after  
473 receipt of an amendment package. For purposes of completeness,  
474 an amendment shall be deemed complete if it contains a full,



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475 executed copy of:

476 a. The adoption ordinance or ordinances;

477 b. In the case of a text amendment, the amended language in  
478 legislative format with new words inserted in the text  
479 underlined, and words deleted stricken with hyphens;

480 c. In the case of a future land use map amendment, the  
481 future land use map clearly depicting the parcel, its existing  
482 future land use designation, and its adopted designation; and

483 d. Any data and analyses the local government deems  
484 appropriate.

485 4. An amendment adopted under this paragraph does not  
486 become effective until 31 days after the state land planning  
487 agency notifies the local government that the plan amendment  
488 package is complete. If timely challenged, an amendment does not  
489 become effective until the state land planning agency or the  
490 Administration Commission enters a final order determining the  
491 adopted amendment to be in compliance.

492 (11) PUBLIC HEARINGS.—

493 (a) The procedure for transmittal of a complete proposed  
494 comprehensive plan or plan amendment pursuant to subparagraph  
495 (3)(b)1. and paragraph (4)(b) and for adoption of a  
496 comprehensive plan or plan amendment pursuant to subparagraphs  
497 (3)(c)1. and (4)(e)1. must ~~shall~~ be by affirmative vote of ~~not~~  
498 ~~less than~~ a majority of the members of the governing body  
499 present at the hearing. The adoption of a comprehensive plan or  
500 plan amendment must ~~shall~~ be by ordinance approved by  
501 affirmative vote of a majority of the members of the governing  
502 body present at the hearing, except that the adoption of a  
503 comprehensive plan or plan amendment must be by affirmative vote



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504 of a supermajority of the members of the governing body if it  
505 includes a future land use category amendment for a parcel or  
506 parcels of land which is less dense or intense or includes more  
507 restrictive or burdensome procedures concerning development,  
508 including, but not limited to, the review, approval, or issuance  
509 of a site plan, development permit, or development order. For  
510 the purposes of transmitting or adopting a comprehensive plan or  
511 plan amendment, the notice requirements in chapters 125 and 166  
512 are superseded by this subsection, except as provided in this  
513 part.

514 (14) REVIEW OF APPLICATION.—An owner of real property  
515 subject to a comprehensive plan amendment or a person applying  
516 for a comprehensive plan amendment that is not adopted by the  
517 local government or who is not provided the opportunity for a  
518 hearing within 180 days after the filing of the application may  
519 file a civil action for declaratory, injunctive, or other  
520 relief, which must be reviewed de novo. The local government has  
521 the burden of proving by a preponderance of the evidence that  
522 the application is inconsistent with the local government's  
523 comprehensive plan and that the existing comprehensive plan is  
524 in compliance and supported by relevant and appropriate data and  
525 analysis. The court may not use a deferential standard for the  
526 benefit of the local government. Before initiating such an  
527 action, the owner or applicant may use the dispute resolution  
528 procedures under s. 70.45. This subsection applies to  
529 comprehensive plan amendments under review or filed on or after  
530 July 1, 2025.

531 Section 8. Paragraphs (k) and (l) are added to subsection  
532 (2) of section 163.3202, Florida Statutes, and subsection (8) is



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533 added to that section, to read:

534 163.3202 Land development regulations.—

535 (2) Local land development regulations shall contain  
536 specific and detailed provisions necessary or desirable to  
537 implement the adopted comprehensive plan and shall at a minimum:

538 (k) By January 1, 2026, establish minimum lot sizes within  
539 single-family, two-family, and fee simple, single-family  
540 townhouse zoning districts, including planned unit development  
541 and site plan controlled zoning districts allowing these uses,  
542 to accommodate and achieve the maximum density authorized in the  
543 comprehensive plan, net of the land area required to be set  
544 aside for subdivision roads, sidewalks, stormwater ponds, open  
545 space, and landscape buffers and any other land area required to  
546 be set aside pursuant to mandatory land development regulations  
547 which could otherwise be used for the development of single-  
548 family homes, two-family homes, and fee simple, single-family  
549 townhouses.

550 (l) By January 1, 2026, if the jurisdiction uses zoning,  
551 specify the hearing process for rezoning to protect the due  
552 process rights of participants. The first public hearing on a  
553 rezoning must be held by an impartial zoning hearing officer,  
554 who shall prepare a proposed recommended order with written  
555 conclusions of law and findings of fact.

556 (8) Notwithstanding any ordinance to the contrary, an  
557 application for an infill residential development must be  
558 administratively approved without requiring a comprehensive plan  
559 amendment, rezoning, variance, or any other public hearing by  
560 any board or reviewing body if the proposed infill residential  
561 development is consistent with current development standards and



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562 the density of the proposed infill residential development is  
563 the same as the average density of contiguous properties. A  
564 development authorized under this subsection must be treated as  
565 a conforming use, notwithstanding the local government's  
566 comprehensive plan, future land use designation, or zoning.

567 Section 9. Paragraph (b) of subsection (2) and subsection  
568 (3) of section 163.3206, Florida Statutes, are amended to read:

569 163.3206 Fuel terminals.—

570 (2) As used in this section, the term:

571 (b) "Fuel terminal" means a storage and distribution  
572 facility for fuel, supplied by pipeline or marine vessel, which  
573 has the capacity to receive, ~~and store,~~ or deploy a bulk  
574 transfer of fuel, ~~is equipped with a loading rack through~~  
575 equipment that which fuel is physically transfers the fuel  
576 ~~transferred~~ into tanker trucks, ~~or~~ rail cars, marine vessels, or  
577 marine barges, and is registered with the Internal Revenue  
578 Service as a terminal. The term also includes any adjacent  
579 submerged lands or waters used by marine vessels or marine  
580 barges for loading and offloading fuel.

581 (3) After July 1, 2014, a local government may not amend  
582 its comprehensive plan, land use map, zoning districts, or land  
583 development regulations in a manner that would conflict with a  
584 fuel terminal's classification as a permitted and allowable use,  
585 including, but not limited to, an amendment that causes a fuel  
586 terminal to be a nonconforming use, structure, or development.  
587 This subsection does not apply if the fuel terminal's owner  
588 notifies the local government that the owner intends to  
589 decommission the fuel terminal.

590 Section 10. Subsection (8) is added to section 166.033,



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591 Florida Statutes, to read:

592 166.033 Development permits and orders.—

593 (8) A municipality may not as a condition of processing or  
594 issuing a development permit or development order require an  
595 applicant to install a work of art, pay a fee for a work of art,  
596 or reimburse the municipality for any costs that the  
597 municipality may incur related to a work of art.

598 Section 11. Subsection (4) of section 171.044, Florida  
599 Statutes, is amended, and subsection (7) is added to that  
600 section, to read:

601 171.044 Voluntary annexation.—

602 (4) The method of annexation provided by this section shall  
603 be supplemental to any other procedure provided by general or  
604 special law, except that this section does ~~shall~~ not apply to  
605 municipalities in counties with charters which provide for an  
606 exclusive method of municipal annexation. An exclusive method of  
607 voluntary annexation may not affect the powers granted to a  
608 municipality in s. 171.062 to assume control over the land use  
609 plan of the annexed area or prevent a municipality from  
610 exercising the municipal power to ratify a voluntary annexation.

611 (7) It is the intent of the Legislature that the powers  
612 granted to municipalities to assume control over the land use of  
613 an annexed area be preserved. Therefore, the prohibition on  
614 affecting the powers granted to municipalities in s. 171.062  
615 under subsection (4) is remedial in nature and applies  
616 retroactively to any exclusive method of voluntary annexation  
617 which was placed into effect after June 1, 2011. An exclusive  
618 method of voluntary annexation placed into effect thereafter  
619 which violates such prohibition is void. An exclusive method of



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620 voluntary annexation which requires approval from a county  
621 government to complete the annexation violates such prohibition  
622 and is void.

623 Section 12. Subsection (2) of section 171.062, Florida  
624 Statutes, is amended, and subsections (6) and (7) are added to  
625 that section, to read:

626 171.062 Effects of annexations or contractions.—

627 (2) If the area annexed was subject to a county land use  
628 plan and county zoning or subdivision regulations, these  
629 regulations remain in full force and effect until the  
630 municipality adopts a comprehensive plan amendment that includes  
631 the annexed area. This assumption of land use regulation by the  
632 municipality is a power of a municipality as contemplated in s.  
633 4, Art. VIII of the State Constitution.

634 (6) This section applies to all counties and  
635 municipalities, including municipalities in counties with  
636 charters that provide for an exclusive method of voluntary  
637 annexation.

638 (7) It is the intent of the Legislature that the powers  
639 granted to municipalities to assume control over the land use of  
640 an annexed area be preserved. Therefore, this section is  
641 remedial in nature and applies retroactively to any exclusive  
642 method of voluntary annexation which was placed into effect  
643 after June 1, 2011, and any such method placed into effect  
644 thereafter which limits or otherwise infringes upon the power  
645 granted to municipalities is void.

646 Section 13. Section 177.071, Florida Statutes, is amended  
647 to read:

648 177.071 Approval of plat by governing bodies.—



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649           (1) The approving agency, which may include a board, a  
650 committee, an employee, or a consultant engaged as agent for the  
651 jurisdiction, as provided by land development regulations, shall  
652 administer plat submittals for the governing body and, within 45  
653 days after receipt of a plat submittal, must recommend approval  
654 if the plat meets the requirements of s. 177.091 or, if the plat  
655 does not meet the requirements of s. 177.091, provide a set of  
656 written comments to the applicant specifying the areas of  
657 noncompliance. An applicant may resubmit a plat in response to  
658 such written comments. An applicant may request final  
659 administrative review of a plat submittal after responding to  
660 two sets of written comments provided by the approving agency.

661           (2) Upon issuance of a recommendation of approval of a plat  
662 by the approving agency or upon request of an applicant in  
663 accordance with subsection (1), the governing body shall at its  
664 next regularly scheduled meeting grant final administrative  
665 approval of the plat ~~Before a plat is offered for recording~~  
666 unless the governing body determines that the approving agency  
667 erred in determining that the plat meets the requirements of s.  
668 177.091 or determines that the approving agency correctly  
669 determined that the plat does not meet the requirements of s.  
670 177.091, ~~it must be approved by the appropriate governing body,~~  
671 and Evidence of such final administrative approval must be  
672 placed on the plat. If not approved, the governing body must  
673 return the plat to the professional surveyor and mapper or the  
674 legal entity offering the plat for recordation in accordance  
675 with the requirements of s. 177.091. The governing body shall  
676 grant final administrative approval at its next regularly  
677 scheduled meeting following resubmittal of the plat by the



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678 applicant. For the purposes of this part:

679 (a) When the plat to be submitted for approval is located  
680 wholly within the boundaries of a municipality, the governing  
681 body of the municipality has exclusive jurisdiction to approve  
682 the plat.

683 (b) When a plat lies wholly within the unincorporated areas  
684 of a county, the governing body of the county has exclusive  
685 jurisdiction to approve the plat.

686 (c) When a plat lies within the boundaries of more than one  
687 governing body, two plats must be prepared and each governing  
688 body has exclusive jurisdiction to approve the plat within its  
689 boundaries, unless the governing bodies having ~~said~~ jurisdiction  
690 agree that one plat is mutually acceptable.

691 (3)~~(2)~~ Any provision in a county charter, or in an  
692 ordinance of any charter county or consolidated government  
693 chartered under s. 6(e), Art. VIII of the State Constitution,  
694 which provision is inconsistent with anything contained in this  
695 section shall prevail in such charter county or consolidated  
696 government to the extent of any such inconsistency.

697 Section 14. Subsections (1), (8), and (10) of section  
698 720.301, Florida Statutes, are amended, to read:

699 720.301 Definitions.—As used in this chapter, the term:

700 (1) "Assessment" or "amenity fee" means a sum or sums of  
701 money payable to the association, to the developer or other  
702 owner of common areas, or to recreational facilities and other  
703 properties serving the parcels by the owners of one or more  
704 parcels as authorized in the governing documents, which if not  
705 paid by the owner of a parcel, can result in a lien against the  
706 parcel by the association. The term does not include amenity



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707 dues, amenity expenses, or amenity fees as those terms are  
708 defined in s. 720.408.

709 (8) (a) "Governing documents" means:

710 1.-(a) The recorded declaration of covenants for a community  
711 and all duly adopted and recorded amendments, supplements, and  
712 recorded exhibits thereto; and

713 2.-(b) The articles of incorporation and bylaws of the  
714 homeowners' association and any duly adopted amendments thereto.

715 (b) Consistent with s. 720.302(3)(b), recreational  
716 covenants respecting privately owned recreational amenities as  
717 set forth in part IV of this chapter are not governing documents  
718 of an association, even if such recreational covenants are  
719 attached as exhibits to a declaration of covenants for an  
720 association. This paragraph is remedial in nature and intended  
721 to clarify existing law.

722 (10) "Member" means a member of an association, and may  
723 include, but is not limited to, a parcel owner or an association  
724 representing parcel owners or a combination thereof, and  
725 includes any person or entity obligated by the governing  
726 documents to pay an assessment to the association or an amenity  
727 fee.

728 Section 15. Subsection (3) of section 720.302, Florida  
729 Statutes, is amended, to read:

730 720.302 Purposes, scope, and application.—

731 (3) This chapter does not apply to:

732 (a) A community that is composed of property primarily  
733 intended for commercial, industrial, or other nonresidential  
734 use; or

735 (b) The commercial or industrial parcels or privately owned



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736 recreational amenities in a community that contains both  
737 residential parcels and parcels intended for commercial or  
738 industrial use, except that privately owned recreational  
739 amenities are subject to and governed by part IV of this  
740 chapter.

741 Section 16. Section 720.3086, Florida Statutes, is amended  
742 to read:

743 720.3086 Financial report.—In a residential subdivision in  
744 which the owners of lots or parcels must pay mandatory  
745 maintenance or amenity fees to the subdivision developer or to  
746 the owners of the common areas, recreational facilities, and  
747 other properties serving the lots or parcels, the developer or  
748 owner of such areas, facilities, or properties shall make  
749 public, within 60 days following the end of each fiscal year, a  
750 complete financial report of the actual, total receipts of  
751 mandatory maintenance or amenity fees received by it, and an  
752 itemized listing of the expenditures made by it from such fees,  
753 for that year. Such report must ~~shall~~ be made public by mailing  
754 it to each lot or parcel owner in the subdivision, by publishing  
755 it in a publication regularly distributed within the  
756 subdivision, or by posting it in prominent locations in the  
757 subdivision. This section does not apply to amounts paid to  
758 homeowner associations pursuant to chapter 617, chapter 718,  
759 chapter 719, chapter 721, or chapter 723; ~~or~~ to amounts paid to  
760 local governmental entities, including special districts; or to  
761 amounts paid to private amenity owners as defined in s.  
762 720.408(4), which amounts are governed by and subject to s.  
763 720.412.

764 Section 17. Part IV of chapter 720, Florida Statutes,



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765 consisting of ss. 720.408-720.412, Florida Statutes, is created  
766 and entitled "Recreational Covenants."

767 Section 18. Section 720.408, Florida Statutes, is created  
768 to read:

769 720.408 Definitions.—As used in ss. 720.408-720.412, the  
770 term:

771 (1) "Amenity dues" means amenity expenses and amenity fees,  
772 if any, in any combination, charged in accordance with a  
773 recreational covenant. Amenity dues may include additional  
774 components if such components are specified in the recreational  
775 covenant.

776 (2) "Amenity expenses" means the costs of owning,  
777 operating, managing, maintaining, and insuring privately owned  
778 recreational amenities made available to parcel owners pursuant  
779 to a recreational covenant, whether directly or indirectly. The  
780 term includes, but is not limited to, maintenance, cleaning  
781 fees, trash collection, utility charges, cable service charges,  
782 legal fees, management fees, reserves, repairs, replacements,  
783 refurbishments, payroll and payroll costs, insurance, working  
784 capital, and ad valorem or other taxes, costs, expenses, levies,  
785 and charges of any nature which may be levied or imposed  
786 against, or in connection with, the privately owned recreational  
787 amenities made available to parcel owners pursuant to a  
788 recreational covenant. The term does not include income taxes;  
789 the initial cost of construction of a privately owned  
790 recreational amenity or any loan costs, loan fees, or debt  
791 service of a private amenity owner related thereto; or legal  
792 fees incurred by a private amenity owner in a legal action with  
793 a homeowners' association in which a final order or judgment



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794 holds that the private amenity owner has committed fraud, price  
795 gouging, or any other unfair business practice to the detriment  
796 of the association and its members.

797 (3) "Amenity fee" means any amount, other than amenity  
798 expenses, due in accordance with a recreational covenant which  
799 is levied against parcel owners for recreational memberships or  
800 use. An amenity fee may be composed of profit or other  
801 components to be paid to a private amenity owner as provided in  
802 a recreational covenant.

803 (4) "Private amenity owner" means the record title owner of  
804 a privately owned recreational amenity who is responsible for  
805 operation of the privately owned recreational amenity and is  
806 authorized to levy amenity dues pursuant to the recreational  
807 covenant. The term does not include a corporation not for profit  
808 pursuant to chapter 617 or a local governmental entity,  
809 including, but not limited to, a special district created  
810 pursuant to chapter 189 or chapter 190.

811 (5) "Privately owned recreational amenity" means a  
812 recreational facility or amenity intended for recreational use  
813 or leisure activities owned by a private amenity owner and for  
814 which parcel owners' mandatory membership and use rights are  
815 established pursuant to a recreational covenant. The term does  
816 not include any common area or any property or facility owned by  
817 a corporation not for profit pursuant to chapter 617 or a local  
818 governmental entity, including, but not limited to, a special  
819 district created pursuant to chapter 189 or chapter 190.

820 (6) "Recreational covenant" means a recorded covenant,  
821 separate and distinct from a declaration of covenants, which  
822 provides the nature and requirements of a membership in or the



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823 use or purchase of privately owned recreational amenities for  
824 parcel owners in one or more communities and which:

825 (a) Is recorded in the public records of the county in  
826 which the property encumbered thereby is located;

827 (b) Contains information regarding the amenity dues that  
828 may be imposed on members and other persons permitted to use the  
829 privately owned recreational amenity and remedies that the  
830 private amenity owner or other third party may have upon  
831 nonpayment of such amenity fees; and

832 (c) Requires mandatory membership or mandatory payment of  
833 amenity dues by some or all of the parcel owners in a community.

834 Section 19. Section 720.409, Florida Statutes, is created  
835 to read:

836 720.409 Recreational covenants.—

837 (1) LEGISLATIVE FINDINGS.—The Legislature finds that:

838 (a) Recreational covenants are widely used throughout this  
839 state as a mechanism to provide enhanced recreational amenities  
840 to communities, but such recreational covenants are largely  
841 unregulated.

842 (b) There exists a need to develop certain protections in  
843 favor of parcel owners while encouraging the economic benefit of  
844 the development and availability of privately owned recreational  
845 amenities and a flexible means for private amenity owners to  
846 operate such privately owned recreational amenities pursuant to  
847 recreational covenants.

848 (c) Recreational covenants fulfill a vital role in  
849 providing amenities to residential communities throughout this  
850 state.

851 (2) PURPOSE, SCOPE, AND APPLICATION.—



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852       (a) This part is intended to provide certain protections  
853 for parcel owners and give statutory recognition to the use of  
854 recreational covenants. This part is further intended to respect  
855 the contractual relationship and intent of the parties to real  
856 property transactions that occurred before July 1, 2025, and  
857 such parties' reliance on covenants, conditions, restrictions,  
858 or other interests created by those transactions.

859       (b) Parcels within a community may be subject to a  
860 recreational covenant, which recreational covenant and the  
861 privately owned recreational amenities governed by such  
862 recreational covenant are not governed by this chapter except as  
863 expressly provided in this part.

864       (c) This part does not apply to recorded covenants,  
865 agreements, or other documents which are not recreational  
866 covenants.

867       (d) This part applies to recreational covenants existing  
868 before July 1, 2025, and to recreational covenants recorded on  
869 or after July 1, 2025, and, except as otherwise expressly set  
870 forth in this part, applies retroactively and prospectively to  
871 all recreational covenants.

872       (e) This part does not revive or reinstate any right,  
873 claim, or interest that has been fully and finally adjudicated  
874 as invalid before July 1, 2025.

875       Section 20.   Section 720.41, Florida Statutes, is created  
876 to read:

877       720.41 Requirements for recreational covenants.—

878       (1) A recreational covenant recorded on or after July 1,  
879 2025, which creates mandatory membership in a club or imposes  
880 mandatory amenity dues on parcel owners must specify all of the



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881 following:

882 (a) The parcels within the community which are or will be  
883 subject to mandatory membership in a club or to the imposition  
884 of mandatory amenity dues.

885 (b) The person responsible for owning, maintaining, and  
886 operating the privately owned recreational amenity governed by  
887 the recreational covenant, which may be the developer.

888 (c) The manner in which amenity dues are apportioned and  
889 collected from each encumbered parcel owner, and the person  
890 authorized to collect such dues. The recreational covenant must  
891 specify the components of the amenity dues.

892 (d) The amount of any amenity fee included in the amenity  
893 dues. If the amount of such amenity fee is not specified, the  
894 recreational covenant must specify the manner in which such fee  
895 is calculated.

896 (e) The manner in which amenity fees may be increased,  
897 which increase may occur periodically by a fixed percentage, a  
898 fixed dollar amount, or in accordance with increases in the  
899 consumer price index.

900 (f) The collection rights and remedies that are available  
901 for enforcing payment of amenity dues.

902 (g) A statement of whether collection rights to enforce  
903 payment of amenity dues are subordinate to an association's  
904 right to collect assessments.

905 (h) A statement of whether the privately owned recreational  
906 amenity is open to the public or may be used by persons who are  
907 not members or parcel owners within the community.

908 (2) (a) A recreational covenant recorded before July 1,  
909 2025, must be amended or supplemented to comply with the



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910 requirements of paragraphs (1)(a)-(d) by July 1, 2026.

911 (b) If a recreational covenant recorded before July 1,  
912 2025, does not specify the manner in which amenity fees may be  
913 increased as required by paragraph (1)(e), the increase in such  
914 amenity fees is limited to a maximum annual increase in an  
915 amount equal to the annual increase in the Consumer Price Index  
916 for All Urban Consumers, U.S. City Average, All Items.

917 (3) A recreational covenant that does not specify the  
918 amount by which amenity expenses may be increased is limited to  
919 a maximum annual increase of 25 percent of the amenity expenses  
920 from the preceding fiscal year. This limitation does not  
921 prohibit an increase in amenity expenses resulting from a  
922 natural disaster, an act of God, an increase in insurance costs,  
923 an increase in utility rates, an increase in supply costs, an  
924 increase in labor rates, or any other circumstance outside of  
925 the reasonable control of the private amenity owner or other  
926 person responsible for maintaining or operating the privately  
927 owned recreational amenity governed by the recreational  
928 covenant.

929 (4) Beginning July 1, 2025, notwithstanding any provision  
930 in a recreational covenant to the contrary, an association may  
931 not be required to collect amenity dues on behalf of a private  
932 amenity owner. The private amenity owner or its agent is solely  
933 responsible for the collection of amenity dues.

934 (5) The termination of a recreational covenant or the right  
935 of a private amenity owner to suspend the right of a parcel  
936 owner to use a privately owned recreational amenity may not:

937 (a) Prohibit an owner or a tenant of a parcel from having  
938 vehicular and pedestrian ingress to and egress from the parcel;



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939 (b) Prohibit an owner or a tenant of a parcel from  
940 receiving utilities provided to the parcel by virtue of utility  
941 facilities or utility easements located within the privately  
942 owned recreational amenity; or

943 (c) Prohibit an owner or a tenant of a parcel from having  
944 access to any mail delivery facility serving the parcel which is  
945 located within the privately owned recreational amenity.

946 Section 21. Section 720.411, Florida Statutes, is created  
947 to read:

948 720.411 Disclosure of recreational covenant before sale of  
949 residential parcels.-

950 (1) Beginning October 1, 2025, each contract for the sale  
951 of a parcel which is governed by a homeowners' association but  
952 is also subject to a recreational covenant must contain in  
953 conspicuous type a clause that substantially states:

954  
955 DISCLOSURE SUMMARY

956  
957 YOUR LOT, DWELLING, AND/OR PARCEL IS SUBJECT TO A  
958 RECREATIONAL COVENANT. AS A PURCHASER OF PROPERTY  
959 SUBJECT TO THE RECREATIONAL COVENANT, YOU WILL BE  
960 OBLIGATED TO PAY AMENITY DUES TO A PRIVATE AMENITY  
961 OWNER.

962  
963 BUYER ACKNOWLEDGES ALL OF THE FOLLOWING:

964  
965 (1) THE RECREATIONAL AMENITY GOVERNED BY THE  
966 RECREATIONAL COVENANT IS NOT A COMMON AREA OF THE  
967 HOMEOWNERS' ASSOCIATION AND IS NOT OWNED OR CONTROLLED



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968 BY THE HOMEOWNERS' ASSOCIATION. THE RECREATIONAL  
969 COVENANT IS NOT A GOVERNING DOCUMENT OF THE  
970 ASSOCIATION.

971  
972 (2) CHARGES FOR AMENITY DUES WILL BE GOVERNED BY  
973 THE RECREATIONAL COVENANT. THE RECREATIONAL COVENANT  
974 CONTAINS IMPORTANT PROVISIONS AND RIGHTS AND IS OR  
975 WILL BE AVAILABLE IN THE PUBLIC RECORDS OF THE COUNTY.

976  
977 (3) THE PARTY THAT CONTROLS THE MAINTENANCE AND  
978 OPERATION OF THE RECREATIONAL AMENITY DETERMINES THE  
979 BUDGET FOR THE OPERATION AND MAINTENANCE OF SUCH  
980 RECREATIONAL AMENITY. HOWEVER, THE PARCEL OWNERS  
981 SUBJECT TO THE RECREATIONAL COVENANT ARE STILL  
982 RESPONSIBLE FOR AMENITY DUES.

983  
984 (4) AMENITY DUES MAY BE SUBJECT TO PERIODIC  
985 CHANGE. AMENITY DUES ARE IN ADDITION TO, AND SEPARATE  
986 AND DISTINCT FROM, ASSESSMENTS LEVIED BY THE  
987 HOMEOWNERS' ASSOCIATION.

988  
989 (5) FAILURE TO PAY AMENITY DUES OR OTHER CHARGES  
990 IMPOSED BY A PRIVATE AMENITY OWNER MAY RESULT IN A  
991 LIEN ON YOUR PROPERTY.

992  
993 (6) THIRD PARTIES WHO ARE NOT MEMBERS OF THE  
994 HOMEOWNERS' ASSOCIATION MAY HAVE THE RIGHT TO ACCESS  
995 AND USE THE RECREATIONAL AMENITY, AS DETERMINED BY THE  
996 ENTITY THAT CONTROLS SUCH RECREATIONAL AMENITY.



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997  
998           (7) MANDATORY MEMBERSHIP REQUIREMENTS OR OTHER  
999           OBLIGATIONS TO PAY AMENITY DUES CAN BE FOUND IN THE  
1000           RECREATIONAL COVENANT OR OTHER RECORDED INSTRUMENT.

1001  
1002           (8) THE PRIVATE AMENITY OWNER MAY HAVE THE RIGHT  
1003           TO AMEND THE RECREATIONAL COVENANT WITHOUT THE  
1004           APPROVAL OF MEMBERS OR PARCEL OWNERS, SUBJECT TO THE  
1005           TERMS OF THE RECREATIONAL COVENANT AND SECTION 720.41,  
1006           FLORIDA STATUTES.

1007  
1008           (9) THE STATEMENTS CONTAINED IN THIS DISCLOSURE  
1009           FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE  
1010           PURCHASER, YOU SHOULD REFER TO THE RECREATIONAL  
1011           COVENANTS BEFORE PURCHASE. THE RECREATIONAL COVENANT  
1012           IS EITHER A MATTER OF PUBLIC RECORD AND CAN BE  
1013           OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE  
1014           THE PROPERTY IS LOCATED OR IS NOT RECORDED AND CAN BE  
1015           OBTAINED FROM THE DEVELOPER.

1016  
1017           (2) The disclosure summary required by this section must be  
1018           supplied by the developer or, if the sale is by a parcel owner  
1019           that is not the developer, by the parcel owner. After October 1,  
1020           2025, any contract or agreement for sale must refer to and  
1021           incorporate the disclosure summary and must include, in  
1022           prominent language, a statement that the potential buyer should  
1023           not execute the contract or agreement until they have received  
1024           and read the disclosure summary required by this section.

1025           (3) After October 1, 2025, if the disclosure summary is not



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1026 provided to a prospective purchaser as required by this section,  
1027 the purchaser may void the contract by delivering to the seller  
1028 or the seller's agent or representative written notice canceling  
1029 the contract within 3 days after receipt of the disclosure  
1030 summary or before closing, whichever occurs first. This right  
1031 may not be waived by the purchaser but terminates at closing.

1032 Section 22. Section 720.412, Florida Statutes, is created  
1033 to read:

1034 720.412 Financial reporting.—After October 1, 2025, in a  
1035 residential subdivision in which the owners of lots or parcels  
1036 must pay amenity dues owed to a private amenity owner pursuant  
1037 to a recreational covenant, within 60 days after the end of each  
1038 fiscal year the private amenity owner must make public, and  
1039 available for inspection upon written request from a parcel  
1040 owner within the applicable subdivision, a complete financial  
1041 report of the actual, total receipts of amenity dues received by  
1042 the private amenity owner, which includes an itemized list of  
1043 the expenditures made by the private amenity owner with respect  
1044 to operational costs, expenses, or other cash disbursements and  
1045 amounts expended with respect to the operation of the privately  
1046 owned recreational amenities for that year. The party preparing  
1047 the financial report must have access to the supporting  
1048 documents and records pertaining to the privately owned  
1049 recreational amenities and private amenity owner, including the  
1050 cash disbursements and related paid invoices to determine  
1051 whether expenditures were for purposes related to owning,  
1052 operating, managing, maintaining, and insuring privately owned  
1053 recreational amenities and whether the cash receipts were billed  
1054 in accordance with the recreational covenant. The financial



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1055 report must be made public to each lot or parcel owner subject  
1056 to the payment of such amenity dues by publishing a notice of  
1057 its availability for inspection in a publication regularly  
1058 distributed within the subdivision, or by posting such a notice  
1059 in a prominent location in the subdivision and in prominent  
1060 locations within the privately owned recreational amenities.  
1061 This section does not apply to assessments or other amounts paid  
1062 to an association pursuant to chapter 617, chapter 718, chapter  
1063 719, chapter 721, or chapter 723, or to amounts paid to a local  
1064 governmental entity, including, but not limited to, a special  
1065 district created pursuant to chapter 189 or chapter 190.

1066 Section 23. Paragraph (d) of subsection (2) of section  
1067 212.055, Florida Statutes, is amended to read:

1068 212.055 Discretionary sales surtaxes; legislative intent;  
1069 authorization and use of proceeds.—It is the legislative intent  
1070 that any authorization for imposition of a discretionary sales  
1071 surtax shall be published in the Florida Statutes as a  
1072 subsection of this section, irrespective of the duration of the  
1073 levy. Each enactment shall specify the types of counties  
1074 authorized to levy; the rate or rates which may be imposed; the  
1075 maximum length of time the surtax may be imposed, if any; the  
1076 procedure which must be followed to secure voter approval, if  
1077 required; the purpose for which the proceeds may be expended;  
1078 and such other requirements as the Legislature may provide.  
1079 Taxable transactions and administrative procedures shall be as  
1080 provided in s. 212.054.

1081 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

1082 (d) The proceeds of the surtax authorized by this  
1083 subsection and any accrued interest shall be expended by the



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1084 school district, within the county and municipalities within the  
1085 county, or, in the case of a negotiated joint county agreement,  
1086 within another county, to finance, plan, and construct  
1087 infrastructure; to acquire any interest in land for public  
1088 recreation, conservation, or protection of natural resources or  
1089 to prevent or satisfy private property rights claims resulting  
1090 from limitations imposed by the designation of an area of  
1091 critical state concern; to provide loans, grants, or rebates to  
1092 residential or commercial property owners who make energy  
1093 efficiency improvements to their residential or commercial  
1094 property, if a local government ordinance authorizing such use  
1095 is approved by referendum; or to finance the closure of county-  
1096 owned or municipally owned solid waste landfills that have been  
1097 closed or are required to be closed by order of the Department  
1098 of Environmental Protection. Any use of the proceeds or interest  
1099 for purposes of landfill closure before July 1, 1993, is  
1100 ratified. The proceeds and any interest may not be used for the  
1101 operational expenses of infrastructure, except that a county  
1102 that has a population of fewer than 75,000 and that is required  
1103 to close a landfill may use the proceeds or interest for long-  
1104 term maintenance costs associated with landfill closure.  
1105 Counties, as defined in s. 125.011, and charter counties may, in  
1106 addition, use the proceeds or interest to retire or service  
1107 indebtedness incurred for bonds issued before July 1, 1987, for  
1108 infrastructure purposes, and for bonds subsequently issued to  
1109 refund such bonds. Any use of the proceeds or interest for  
1110 purposes of retiring or servicing indebtedness incurred for  
1111 refunding bonds before July 1, 1999, is ratified.

1112 1. For the purposes of this paragraph, the term



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1113 "infrastructure" means:

1114       a. Any fixed capital expenditure or fixed capital outlay  
1115 associated with the construction, reconstruction, or improvement  
1116 of public facilities that have a life expectancy of 5 or more  
1117 years, any related land acquisition, land improvement, design,  
1118 and engineering costs, and all other professional and related  
1119 costs required to bring the public facilities into service. For  
1120 purposes of this sub-subparagraph, the term "public facilities"  
1121 means facilities as defined in s. 163.3164(42) ~~s. 163.3164(41)~~,  
1122 s. 163.3221(13), or s. 189.012(5), and includes facilities that  
1123 are necessary to carry out governmental purposes, including, but  
1124 not limited to, fire stations, general governmental office  
1125 buildings, and animal shelters, regardless of whether the  
1126 facilities are owned by the local taxing authority or another  
1127 governmental entity.

1128       b. A fire department vehicle, an emergency medical service  
1129 vehicle, a sheriff's office vehicle, a police department  
1130 vehicle, or any other vehicle, and the equipment necessary to  
1131 outfit the vehicle for its official use or equipment that has a  
1132 life expectancy of at least 5 years.

1133       c. Any expenditure for the construction, lease, or  
1134 maintenance of, or provision of utilities or security for,  
1135 facilities, as defined in s. 29.008.

1136       d. Any fixed capital expenditure or fixed capital outlay  
1137 associated with the improvement of private facilities that have  
1138 a life expectancy of 5 or more years and that the owner agrees  
1139 to make available for use on a temporary basis as needed by a  
1140 local government as a public emergency shelter or a staging area  
1141 for emergency response equipment during an emergency officially



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1142 declared by the state or by the local government under s.  
1143 252.38. Such improvements are limited to those necessary to  
1144 comply with current standards for public emergency evacuation  
1145 shelters. The owner must enter into a written contract with the  
1146 local government providing the improvement funding to make the  
1147 private facility available to the public for purposes of  
1148 emergency shelter at no cost to the local government for a  
1149 minimum of 10 years after completion of the improvement, with  
1150 the provision that the obligation will transfer to any  
1151 subsequent owner until the end of the minimum period.

1152 e. Any land acquisition expenditure for a residential  
1153 housing project in which at least 30 percent of the units are  
1154 affordable to individuals or families whose total annual  
1155 household income does not exceed 120 percent of the area median  
1156 income adjusted for household size, if the land is owned by a  
1157 local government or by a special district that enters into a  
1158 written agreement with the local government to provide such  
1159 housing. The local government or special district may enter into  
1160 a ground lease with a public or private person or entity for  
1161 nominal or other consideration for the construction of the  
1162 residential housing project on land acquired pursuant to this  
1163 sub-subparagraph.

1164 f. Instructional technology used solely in a school  
1165 district's classrooms. As used in this sub-subparagraph, the  
1166 term "instructional technology" means an interactive device that  
1167 assists a teacher in instructing a class or a group of students  
1168 and includes the necessary hardware and software to operate the  
1169 interactive device. The term also includes support systems in  
1170 which an interactive device may mount and is not required to be



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1171 affixed to the facilities.

1172         2. For the purposes of this paragraph, the term "energy  
1173 efficiency improvement" means any energy conservation and  
1174 efficiency improvement that reduces consumption through  
1175 conservation or a more efficient use of electricity, natural  
1176 gas, propane, or other forms of energy on the property,  
1177 including, but not limited to, air sealing; installation of  
1178 insulation; installation of energy-efficient heating, cooling,  
1179 or ventilation systems; installation of solar panels; building  
1180 modifications to increase the use of daylight or shade;  
1181 replacement of windows; installation of energy controls or  
1182 energy recovery systems; installation of electric vehicle  
1183 charging equipment; installation of systems for natural gas fuel  
1184 as defined in s. 206.9951; and installation of efficient  
1185 lighting equipment.

1186         3. Notwithstanding any other provision of this subsection,  
1187 a local government infrastructure surtax imposed or extended  
1188 after July 1, 1998, may allocate up to 15 percent of the surtax  
1189 proceeds for deposit into a trust fund within the county's  
1190 accounts created for the purpose of funding economic development  
1191 projects having a general public purpose of improving local  
1192 economies, including the funding of operational costs and  
1193 incentives related to economic development. The ballot statement  
1194 must indicate the intention to make an allocation under the  
1195 authority of this subparagraph.

1196         Section 24. This act shall take effect July 1, 2025.

1197  
1198 ===== T I T L E   A M E N D M E N T =====

1199 And the title is amended as follows:



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1200 Delete everything before the enacting clause  
1201 and insert:

1202 A bill to be entitled  
1203 An act relating to land use and development  
1204 regulations; amending s. 125.022, F.S.; prohibiting a  
1205 county from requiring an applicant to take certain  
1206 actions as a condition of processing a development  
1207 permit or development order; amending s. 163.3162,  
1208 F.S.; revising a statement of legislative purpose;  
1209 deleting language authorizing the owner of an  
1210 agricultural enclave to apply for a comprehensive plan  
1211 amendment; authorizing such owner instead to apply for  
1212 administrative approval of a development regardless of  
1213 future land use designations or comprehensive plan  
1214 conflicts under certain circumstances; deleting a  
1215 certain presumption of urban sprawl; requiring that an  
1216 application for administrative approval for certain  
1217 parcels include certain concepts; requiring that an  
1218 authorized development be treated as a conforming use;  
1219 requiring administrative approval of such development  
1220 within a specified timeframe if it complies with  
1221 certain requirements; prohibiting a local government  
1222 from enacting or enforcing certain regulations or  
1223 laws; providing that the production of ethanol from  
1224 certain products in a specified manner is not chemical  
1225 manufacturing or chemical refining; providing  
1226 retroactive applicability; conforming provisions to  
1227 changes made by the act; amending s. 163.3164, F.S.;  
1228 revising the definition of the terms "agricultural



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1229 enclave" and "compatibility"; defining the terms  
1230 "infill residential development" and "contiguous";  
1231 amending s. 163.3167, F.S.; defining the term "land  
1232 development regulation"; providing retroactive  
1233 applicability; amending s. 163.3177, F.S.; prohibiting  
1234 a comprehensive plan from making a certain mandate;  
1235 prohibiting optional elements of a local comprehensive  
1236 plan from containing certain policies; requiring the  
1237 use of certain consistent data, where relevant, unless  
1238 an applicant can make a certain justification;  
1239 amending s. 163.31801, F.S.; defining the term  
1240 "extraordinary circumstance"; amending s. 163.3184,  
1241 F.S.; revising the expedited state review process for  
1242 the adoption of comprehensive plan amendments;  
1243 requiring a supermajority vote for the adoption of  
1244 certain comprehensive plans and plan amendments;  
1245 authorizing owners of property subject to a  
1246 comprehensive plan amendment and persons applying for  
1247 comprehensive plan amendments to file civil actions  
1248 for relief in certain circumstances; providing  
1249 requirements for such actions; authorizing such owners  
1250 and applicants to use certain dispute resolution  
1251 procedures; providing applicability; amending s.  
1252 163.3202, F.S.; requiring that local land development  
1253 regulations establish by a specified date minimum lot  
1254 sizes within certain zoning districts to accommodate  
1255 the authorized maximum density; requiring that local  
1256 land developments specify by a specified date a  
1257 certain hearing process; providing requirements for



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1258 such hearing process; requiring the approval of infill  
1259 residential development applications in certain  
1260 circumstances; requiring that certain developments be  
1261 treated as a conforming use; amending s. 163.3206,  
1262 F.S.; revising the definition of the term "fuel  
1263 terminal"; providing applicability of a prohibition on  
1264 amending a comprehensive plan, a land use map, zoning  
1265 districts, or land development regulations in a  
1266 certain manner; amending s. 166.033, F.S.; prohibiting  
1267 a municipality from requiring an applicant to take  
1268 certain actions as a condition of processing a  
1269 development permit or development order; amending s.  
1270 171.044, F.S.; providing that an exclusive method of  
1271 voluntary annexation may not affect certain powers  
1272 granted to a municipality; providing legislative  
1273 intent; providing retroactive applicability; providing  
1274 that an exclusive method of voluntary annexation which  
1275 requires certain county approval is void; amending s.  
1276 171.062, F.S.; providing that a certain assumption of  
1277 land use regulation of land annexed by a municipality  
1278 is a power of the municipality as contemplated by the  
1279 State Constitution; providing applicability; providing  
1280 legislative intent; providing retroactive  
1281 applicability; amending s. 177.071, F.S.; requiring an  
1282 approving agency to administer plat submittals and  
1283 take specified actions within a certain timeframe;  
1284 authorizing an applicant to request final  
1285 administrative review of a plat submittal under  
1286 certain circumstances; requiring a governing body to



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1287 grant final administrative approval of a plat at its  
1288 next regularly scheduled meeting; providing an  
1289 exception; requiring such governing body to grant  
1290 final administrative approval of a resubmitted plat at  
1291 its next regularly scheduled meeting; amending s.  
1292 720.301, F.S.; revising definitions; amending s.  
1293 720.302, F.S.; revising applicability of the  
1294 Homeowners' Association Act; amending s. 720.3086,  
1295 F.S.; revising applicability of provisions requiring a  
1296 certain financial report; creating part IV of ch. 720,  
1297 F.S., entitled "Recreational Covenants"; creating s.  
1298 720.408, F.S.; defining terms; creating s. 720.409,  
1299 F.S.; providing legislative findings and intent;  
1300 providing applicability; providing construction;  
1301 creating s. 720.41, F.S.; providing requirements for  
1302 certain recreational covenants recorded on or after a  
1303 certain date; requiring that a recreational covenant  
1304 recorded before a certain date be amended or  
1305 supplemented to comply with specified requirements;  
1306 limiting the annual increases in amenity fees and  
1307 amenity expenses in certain circumstances; prohibiting  
1308 a recreational covenant from requiring an association  
1309 to collect amenity dues beginning on a specified date;  
1310 prohibiting the termination of a recreational covenant  
1311 or right of a private amenity owner to suspend certain  
1312 rights from affecting an owner or a tenant of a parcel  
1313 in a certain manner; creating s. 720.411, F.S.;;  
1314 requiring a specified disclosure summary for contracts  
1315 for the sale of certain parcels beginning on a



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1316 specified date; requiring certain persons to supply  
1317 the disclosure summary; requiring that certain  
1318 contracts or agreements for sale incorporate the  
1319 disclosure summary and include a specified statement  
1320 after a specified date; authorizing a prospective  
1321 purchaser to void a contract in a specified manner  
1322 under certain circumstances; creating s. 720.412,  
1323 F.S.; requiring a public amenity owner annually to  
1324 make a certain financial report public and available  
1325 for inspection in a certain manner within a certain  
1326 timeframe; providing requirements for the financial  
1327 report; providing applicability; amending s. 212.055,  
1328 F.S.; conforming a cross-reference; providing an  
1329 effective date.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Community Affairs (McClain) recommended the following:

1           **Senate Amendment to Amendment (632862) (with directory and**  
2 **title amendments)**

3  
4           Delete lines 191 - 566  
5 and insert:

6           Section 4. Paragraphs (b) and (e) of subsection (8) of  
7 section 163.3167, Florida Statutes, are amended to read:

8           163.3167 Scope of act.—

9           (8)

10          (b) An initiative or referendum process in regard to any



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11 land development regulation is prohibited. For purposes of this  
12 paragraph, the term "land development regulation" includes any  
13 code, ordinance, rule, or charter provision that regulates or  
14 otherwise affects the use of land, including, but not limited  
15 to, density regulations; municipal boundary lines, except as  
16 specified in s. 171.044; and any regulation that could otherwise  
17 be accomplished or affected through the comprehensive planning  
18 process.

19 (e) It is the intent of the Legislature that initiative and  
20 referendum be prohibited in regard to any development order or  
21 land development regulation. It is the intent of the Legislature  
22 that initiative and referendum be prohibited in regard to any  
23 local comprehensive plan amendment or map amendment, except as  
24 specifically and narrowly allowed by paragraph (c). Therefore,  
25 the prohibition on initiative and referendum imposed under this  
26 subsection ~~stated in paragraphs (a) and (c)~~ is remedial in  
27 nature and applies retroactively to any initiative or referendum  
28 process commenced after June 1, 2011, and any such initiative or  
29 referendum process commenced or completed thereafter is deemed  
30 null and void and of no legal force and effect.

31 Section 5. Paragraph (f) of subsection (1) and subsection  
32 (2) of section 163.3177, Florida Statutes, are amended to read:

33 163.3177 Required and optional elements of comprehensive  
34 plan; studies and surveys.—

35 (1) The comprehensive plan shall provide the principles,  
36 guidelines, standards, and strategies for the orderly and  
37 balanced future economic, social, physical, environmental, and  
38 fiscal development of the area that reflects community  
39 commitments to implement the plan and its elements. These



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40 principles and strategies shall guide future decisions in a  
41 consistent manner and shall contain programs and activities to  
42 ensure comprehensive plans are implemented. The sections of the  
43 comprehensive plan containing the principles and strategies,  
44 generally provided as goals, objectives, and policies, shall  
45 describe how the local government's programs, activities, and  
46 land development regulations will be initiated, modified, or  
47 continued to implement the comprehensive plan in a consistent  
48 manner. It is not the intent of this part to require the  
49 inclusion of implementing regulations in the comprehensive plan  
50 but rather to require identification of those programs,  
51 activities, and land development regulations that will be part  
52 of the strategy for implementing the comprehensive plan and the  
53 principles that describe how the programs, activities, and land  
54 development regulations will be carried out. The plan shall  
55 establish meaningful and predictable standards for the use and  
56 development of land and provide meaningful guidelines for the  
57 content of more detailed land development and use regulations.

58 (f) All mandatory and optional elements of the  
59 comprehensive plan and plan amendments shall be based upon  
60 relevant and appropriate data and an analysis by the local  
61 government that may include, but not be limited to, surveys,  
62 studies, community goals and vision, and other data available at  
63 the time of adoption of the comprehensive plan or plan  
64 amendment. To be based on data means to react to it in an  
65 appropriate way and to the extent necessary indicated by the  
66 data available on that particular subject at the time of  
67 adoption of the plan or plan amendment at issue.

68 1. Surveys, studies, and data utilized in the preparation



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69 of the comprehensive plan may not be deemed a part of the  
70 comprehensive plan unless adopted as a part of it. Copies of  
71 such studies, surveys, data, and supporting documents for  
72 proposed plans and plan amendments shall be made available for  
73 public inspection, and copies of such plans shall be made  
74 available to the public upon payment of reasonable charges for  
75 reproduction. Support data or summaries are not subject to the  
76 compliance review process, but the comprehensive plan must be  
77 clearly based on appropriate data. Support data or summaries may  
78 be used to aid in the determination of compliance and  
79 consistency.

80         2. Data must be taken from professionally accepted sources.  
81 The application of a methodology utilized in data collection or  
82 whether a particular methodology is professionally accepted may  
83 be evaluated. However, the evaluation may not include, and a  
84 comprehensive plan may not mandate, whether one accepted  
85 methodology is better than another. Original data collection by  
86 local governments is not required. However, local governments  
87 may use original data so long as methodologies are  
88 professionally accepted.

89         3. The comprehensive plan shall be based upon permanent and  
90 seasonal population estimates and projections, which shall  
91 either be those published by the Office of Economic and  
92 Demographic Research or generated by the local government based  
93 upon a professionally acceptable methodology. The plan must be  
94 based on at least the minimum amount of land required to  
95 accommodate the medium projections as published by the Office of  
96 Economic and Demographic Research for at least a 10-year  
97 planning period unless otherwise limited under s. 380.05,



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98 including related rules of the Administration Commission. Absent  
99 physical limitations on population growth, population  
100 projections for each municipality, and the unincorporated area  
101 within a county must, at a minimum, be reflective of each area's  
102 proportional share of the total county population and the total  
103 county population growth.

104 (2) Coordination of the required and optional ~~several~~  
105 elements of the local comprehensive plan must ~~shall~~ be a major  
106 objective of the planning process. The required and optional  
107 ~~several~~ elements of the comprehensive plan must ~~shall~~ be  
108 consistent. Optional elements of the comprehensive plan may not  
109 contain policies that restrict the density or intensity  
110 established in the future land use element. Where data is  
111 relevant to required and optional ~~several~~ elements, consistent  
112 data must ~~shall~~ be used, including population estimates and  
113 projections unless alternative data can be justified by an  
114 applicant for a plan amendment through new supporting data and  
115 analysis. Each map depicting future conditions must reflect the  
116 principles, guidelines, and standards within all elements, and  
117 each such map must be contained within the comprehensive plan.

118 Section 6. Present paragraphs (a) and (b) of subsection (3)  
119 of section 163.31801, Florida Statutes, are redesignated as  
120 paragraphs (b) and (c), respectively, a new paragraph (a) is  
121 added to that subsection, and paragraph (g) of subsection (6) of  
122 that section is republished, to read:

123 163.31801 Impact fees; short title; intent; minimum  
124 requirements; audits; challenges.—

125 (3) For purposes of this section, the term:

126 (a) "Extraordinary circumstance" means:



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127        1. For a county, that the permanent population estimate  
128 determined for the county by the University of Florida Bureau of  
129 Economic and Business Research is at least 1.25 times the 5-year  
130 high-series population projection for the county as published by  
131 the University of Florida Bureau of Economic and Business  
132 Research immediately before the year of the population estimate;  
133 or

134        2. For a municipality, that the municipality is located  
135 within a county with such a permanent population estimate and  
136 the municipality demonstrates that it has maintained a  
137 proportionate share of the county's population growth during the  
138 preceding 5-year period.

139        (6) A local government, school district, or special  
140 district may increase an impact fee only as provided in this  
141 subsection.

142        (g) A local government, school district, or special  
143 district may increase an impact fee rate beyond the phase-in  
144 limitations established under paragraph (b), paragraph (c),  
145 paragraph (d), or paragraph (e) by establishing the need for  
146 such increase in full compliance with the requirements of  
147 subsection (4), provided the following criteria are met:

148        1. A demonstrated-need study justifying any increase in  
149 excess of those authorized in paragraph (b), paragraph (c),  
150 paragraph (d), or paragraph (e) has been completed within the 12  
151 months before the adoption of the impact fee increase and  
152 expressly demonstrates the extraordinary circumstances  
153 necessitating the need to exceed the phase-in limitations.

154        2. The local government jurisdiction has held not less than  
155 two publicly noticed workshops dedicated to the extraordinary



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156 circumstances necessitating the need to exceed the phase-in  
157 limitations set forth in paragraph (b), paragraph (c), paragraph  
158 (d), or paragraph (e).

159 3. The impact fee increase ordinance is approved by at  
160 least a two-thirds vote of the governing body.

161 Section 7. Subsection (3) and paragraph (a) of subsection  
162 (11) of section 163.3184, Florida Statutes, are amended, and  
163 subsection (14) is added to that section, to read:

164 163.3184 Process for adoption of comprehensive plan or plan  
165 amendment.—

166 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF  
167 COMPREHENSIVE PLAN AMENDMENTS.—

168 (a) The process for amending a comprehensive plan described  
169 in this subsection shall apply to all amendments except as  
170 provided in paragraphs (2)(b) and (c) and shall be applicable  
171 statewide.

172 (b)1. If a plan amendment or amendments are adopted, the  
173 local government, after the initial public hearing held pursuant  
174 to subsection (11), must ~~shall~~ transmit, within 10 working days  
175 after the date of adoption, the amendment or amendments and  
176 appropriate supporting data and analyses to the reviewing  
177 agencies. The local governing body must ~~shall~~ also transmit a  
178 copy of the amendments and supporting data and analyses to any  
179 other local government or governmental agency that has filed a  
180 written request with the governing body.

181 2. The reviewing agencies and any other local government or  
182 governmental agency specified in subparagraph 1. may provide  
183 comments regarding the amendment or amendments to the local  
184 government. State agencies shall only comment on important state



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185 resources and facilities that will be adversely impacted by the  
186 amendment if adopted. Comments provided by state agencies shall  
187 state with specificity how the plan amendment will adversely  
188 impact an important state resource or facility and shall  
189 identify measures the local government may take to eliminate,  
190 reduce, or mitigate the adverse impacts. Such comments, if not  
191 resolved, may result in a challenge by the state land planning  
192 agency to the plan amendment. Agencies and local governments  
193 must transmit their comments to the affected local government  
194 such that they are received by the local government not later  
195 than 30 days after the date on which the agency or government  
196 received the amendment or amendments. Reviewing agencies shall  
197 also send a copy of their comments to the state land planning  
198 agency.

199       3. Comments to the local government from a regional  
200 planning council, county, or municipality shall be limited as  
201 follows:

202       a. The regional planning council review and comments shall  
203 be limited to adverse effects on regional resources or  
204 facilities identified in the strategic regional policy plan and  
205 extrajurisdictional impacts that would be inconsistent with the  
206 comprehensive plan of any affected local government within the  
207 region. A regional planning council may not review and comment  
208 on a proposed comprehensive plan amendment prepared by such  
209 council unless the plan amendment has been changed by the local  
210 government subsequent to the preparation of the plan amendment  
211 by the regional planning council.

212       b. County comments shall be in the context of the  
213 relationship and effect of the proposed plan amendments on the



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214 county plan.

215 c. Municipal comments shall be in the context of the  
216 relationship and effect of the proposed plan amendments on the  
217 municipal plan.

218 d. Military installation comments shall be provided in  
219 accordance with s. 163.3175.

220 4. Comments to the local government from state agencies  
221 shall be limited to the following subjects as they relate to  
222 important state resources and facilities that will be adversely  
223 impacted by the amendment if adopted:

224 a. The Department of Environmental Protection shall limit  
225 its comments to the subjects of air and water pollution;  
226 wetlands and other surface waters of the state; federal and  
227 state-owned lands and interest in lands, including state parks,  
228 greenways and trails, and conservation easements; solid waste;  
229 water and wastewater treatment; and the Everglades ecosystem  
230 restoration.

231 b. The Department of State shall limit its comments to the  
232 subjects of historic and archaeological resources.

233 c. The Department of Transportation shall limit its  
234 comments to issues within the agency's jurisdiction as it  
235 relates to transportation resources and facilities of state  
236 importance.

237 d. The Fish and Wildlife Conservation Commission shall  
238 limit its comments to subjects relating to fish and wildlife  
239 habitat and listed species and their habitat.

240 e. The Department of Agriculture and Consumer Services  
241 shall limit its comments to the subjects of agriculture,  
242 forestry, and aquaculture issues.



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243 f. The Department of Education shall limit its comments to  
244 the subject of public school facilities.

245 g. The appropriate water management district shall limit  
246 its comments to flood protection and floodplain management,  
247 wetlands and other surface waters, and regional water supply.

248 h. The state land planning agency shall limit its comments  
249 to important state resources and facilities outside the  
250 jurisdiction of other commenting state agencies and may include  
251 comments on countervailing planning policies and objectives  
252 served by the plan amendment that should be balanced against  
253 potential adverse impacts to important state resources and  
254 facilities.

255 (c)1. The local government shall hold a second public  
256 hearing, which shall be a hearing on whether to adopt one or  
257 more comprehensive plan amendments pursuant to subsection (11).  
258 If the local government fails, within 180 days after receipt of  
259 agency comments, to hold the second public hearing, ~~and to adopt~~  
260 ~~the comprehensive plan amendments,~~ the amendments are deemed  
261 withdrawn unless extended by agreement with notice to the state  
262 land planning agency and any affected person that provided  
263 comments on the amendment. The local government is in compliance  
264 if the second public hearing is held within the 180-day period  
265 after receipt of agency comments, even if the amendments are  
266 approved at a subsequent hearing. The 180-day limitation does  
267 not apply to amendments processed pursuant to s. 380.06.

268 2. All comprehensive plan amendments adopted by the  
269 governing body, along with the supporting data and analysis,  
270 shall be transmitted within 10 working days after the final  
271 adoption hearing to the state land planning agency and any other



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272 agency or local government that provided timely comments under  
273 subparagraph (b)2. If the local government fails to transmit the  
274 comprehensive plan amendments within 10 working days after the  
275 final adoption hearing, the amendments are deemed withdrawn.

276 3. The state land planning agency shall notify the local  
277 government of any deficiencies within 5 working days after  
278 receipt of an amendment package. For purposes of completeness,  
279 an amendment shall be deemed complete if it contains a full,  
280 executed copy of:

281 a. The adoption ordinance or ordinances;

282 b. In the case of a text amendment, the amended language in  
283 legislative format with new words inserted in the text  
284 underlined, and words deleted stricken with hyphens;

285 c. In the case of a future land use map amendment, the  
286 future land use map clearly depicting the parcel, its existing  
287 future land use designation, and its adopted designation; and

288 d. Any data and analyses the local government deems  
289 appropriate.

290 4. An amendment adopted under this paragraph does not  
291 become effective until 31 days after the state land planning  
292 agency notifies the local government that the plan amendment  
293 package is complete. If timely challenged, an amendment does not  
294 become effective until the state land planning agency or the  
295 Administration Commission enters a final order determining the  
296 adopted amendment to be in compliance.

297 (11) PUBLIC HEARINGS.—

298 (a) The procedure for transmittal of a complete proposed  
299 comprehensive plan or plan amendment pursuant to subparagraph  
300 (3) (b)1. and paragraph (4) (b) and for adoption of a



301 comprehensive plan or plan amendment pursuant to subparagraphs  
302 (3) (c)1. and (4) (e)1. must ~~shall~~ be by affirmative vote of ~~not~~  
303 ~~less than~~ a majority of the members of the governing body  
304 present at the hearing. The adoption of a comprehensive plan or  
305 plan amendment must ~~shall~~ be by ordinance approved by  
306 affirmative vote of a majority of the members of the governing  
307 body present at the hearing, except that the adoption of a  
308 comprehensive plan or plan amendment must be by affirmative vote  
309 of a supermajority of the members of the governing body if it  
310 includes a future land use category amendment for a parcel or  
311 parcels of land which is less dense or intense or includes more  
312 restrictive or burdensome procedures concerning development,  
313 including, but not limited to, the review, approval, or issuance  
314 of a site plan, development permit, or development order. For  
315 the purposes of transmitting or adopting a comprehensive plan or  
316 plan amendment, the notice requirements in chapters 125 and 166  
317 are superseded by this subsection, except as provided in this  
318 part.

319 (14) REVIEW OF APPLICATION.—An owner of real property  
320 subject to a comprehensive plan amendment or a person applying  
321 for a comprehensive plan amendment that is not adopted by the  
322 local government or who is not provided the opportunity for a  
323 hearing within 180 days after the filing of the application may  
324 file a civil action for declaratory, injunctive, or other  
325 relief, which must be reviewed de novo. The local government has  
326 the burden of proving by a preponderance of the evidence that  
327 the application is inconsistent with the local government's  
328 comprehensive plan and that the existing comprehensive plan is  
329 in compliance and supported by relevant and appropriate data and



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330 analysis. The court may not use a deferential standard for the  
331 benefit of the local government. Before initiating such an  
332 action, the owner or applicant may use the dispute resolution  
333 procedures under s. 70.45. This subsection applies to  
334 comprehensive plan amendments under review or filed on or after  
335 July 1, 2025.

336  
337 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

338 And the directory clause is amended as follows:

339 Delete lines 119 - 123

340 and insert:

341 Section 3. Subsections (4) and (9) of section 163.3164,  
342 Florida Statutes, are amended, to read:

343  
344 ===== T I T L E A M E N D M E N T =====

345 And the title is amended as follows:

346 Delete lines 1229 - 1261

347 and insert:

348 enclave" and "compatibility"; amending s. 163.3167,  
349 F.S.; defining the term "land development regulation";  
350 providing retroactive applicability; amending s.  
351 163.3177, F.S.; prohibiting a comprehensive plan from  
352 making a certain mandate; prohibiting optional  
353 elements of a local comprehensive plan from containing  
354 certain policies; requiring the use of certain  
355 consistent data, where relevant, unless an applicant  
356 can make a certain justification; amending s.  
357 163.31801, F.S.; defining the term "extraordinary  
358 circumstance"; amending s. 163.3184, F.S.; revising



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359 the expedited state review process for the adoption of  
360 comprehensive plan amendments; requiring a  
361 supermajority vote for the adoption of certain  
362 comprehensive plans and plan amendments; authorizing  
363 owners of property subject to a comprehensive plan  
364 amendment and persons applying for comprehensive plan  
365 amendments to file civil actions for relief in certain  
366 circumstances; providing requirements for such  
367 actions; authorizing such owners and applicants to use  
368 certain dispute resolution procedures; providing  
369 applicability;

By Senator McClain

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1                   A bill to be entitled  
2           An act relating to land use and development  
3           regulations; amending s. 163.3162, F.S.; revising a  
4           statement of legislative purpose; deleting language  
5           authorizing the owner of an agricultural enclave to  
6           apply for a comprehensive plan amendment; authorizing  
7           such owner to instead apply for administrative  
8           approval of a development regardless of future land  
9           use designations or comprehensive plan conflicts under  
10          certain circumstances; deleting a certain presumption  
11          of urban sprawl; requiring that an authorized  
12          development be treated as a conforming use;  
13          prohibiting a local government from enacting or  
14          enforcing certain regulations or laws; requiring  
15          administrative approval of such development if it  
16          complies with certain requirements; conforming  
17          provisions to changes made by the act; amending s.  
18          163.3164, F.S.; revising the definition of the terms  
19          "agricultural enclave" and "compatibility"; defining  
20          the terms "infill residential development" and  
21          "contiguous"; amending s. 163.3177, F.S.; prohibiting  
22          a comprehensive plan from making a certain mandate;  
23          prohibiting optional elements of a local comprehensive  
24          plan from containing certain policies; requiring the  
25          use of certain consistent data, where relevant, unless  
26          an applicant can make a certain justification;  
27          amending s. 163.31801, F.S.; defining the term  
28          "extraordinary circumstance"; amending s. 163.3184,  
29          F.S.; requiring a supermajority vote for the adoption

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30 of certain comprehensive plans and plan amendments;  
31 authorizing owners of property subject to a  
32 comprehensive plan amendment and persons applying for  
33 comprehensive plan amendments to file civil actions  
34 for relief in certain circumstances; providing  
35 requirements for such actions; authorizing such owners  
36 and applicants to use certain dispute resolution  
37 procedures; amending s. 163.3202, F.S.; requiring that  
38 local land development regulations establish by a  
39 specified date minimum lot sizes within certain zoning  
40 districts to accommodate the authorized maximum  
41 density; requiring the approval of infill residential  
42 development applications in certain circumstances;  
43 requiring the treatment of certain developments as a  
44 conforming use; amending s. 720.301, F.S.; revising  
45 and providing definitions; amending s. 720.302, F.S.;  
46 revising applicability of the Homeowners' Association  
47 Act; amending s. 720.3086, F.S.; revising the persons  
48 to whom and the method by which a certain financial  
49 report must be made available; creating s. 720.319,  
50 F.S.; specifying that certain parcels may be subject  
51 to a recreational covenant and that certain  
52 recreational facilities and amenities are not a part  
53 of a common area; prohibiting the imposition or  
54 collection of amenity dues except as provided in a  
55 recreational covenant; providing requirements for  
56 certain recreational covenants recorded on or after a  
57 certain date; requiring that a recreational covenant  
58 recorded before a certain date comply with specified

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59 requirements to remain valid and effective; limiting  
60 the annual increases in amenity fees and amenity  
61 expenses in certain circumstances; providing  
62 construction; prohibiting a recreational covenant from  
63 requiring an association to collect amenity dues;  
64 requiring a specified disclosure summary for contracts  
65 for the sale of certain parcels; providing  
66 construction and retroactive application; amending ss.  
67 212.055, 336.125, 479.01, 558.002, 617.0725, 718.116,  
68 and 720.3085, F.S.; conforming cross-references;  
69 providing an effective date.

70

71 Be It Enacted by the Legislature of the State of Florida:

72

73 Section 1. Subsections (1) and (4) of section 163.3162,  
74 Florida Statutes, are amended to read:

75 163.3162 Agricultural lands and practices.—

76 (1) LEGISLATIVE FINDINGS AND PURPOSE.—The Legislature finds  
77 that agricultural production is a major contributor to the  
78 economy of the state; that agricultural lands constitute unique  
79 and irreplaceable resources of statewide importance; that the  
80 continuation of agricultural activities preserves the landscape  
81 and environmental resources of the state, contributes to the  
82 increase of tourism, and furthers the economic self-sufficiency  
83 of the people of the state; and that the encouragement,  
84 development, and improvement of agriculture will result in a  
85 general benefit to the health, safety, and welfare of the people  
86 of the state. It is the purpose of this act to protect  
87 reasonable agricultural activities conducted on farm lands from

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88 duplicative regulation and to protect the property rights of  
89 agricultural land owners.

90 (4) ADMINISTRATIVE APPROVAL ~~AMENDMENT TO LOCAL GOVERNMENT~~  
91 ~~COMPREHENSIVE PLAN.~~—The owner of a ~~parcel of~~ land defined as an  
92 agricultural enclave under s. 163.3164 may apply for  
93 administrative approval of development regardless of the future  
94 land use map designation of the parcel or any conflicting  
95 comprehensive plan goals, objectives, or policies if the owner's  
96 request an amendment to the local government comprehensive plan  
97 ~~pursuant to s. 163.3184.~~ Such amendment is presumed not to be  
98 ~~urban sprawl as defined in s. 163.3164 if it~~ includes land uses  
99 and densities and intensities of use that are consistent with  
100 the approved uses and densities and intensities of use of the  
101 industrial, commercial, or residential areas that surround the  
102 parcel. ~~This presumption may be rebutted by clear and convincing~~  
103 ~~evidence.~~ Each application for administrative approval a  
104 ~~comprehensive plan amendment~~ under this subsection for a parcel  
105 larger than 640 acres must include appropriate new urbanism  
106 concepts such as clustering, mixed-use development, the creation  
107 of rural village and city centers, and the transfer of  
108 development rights in order to discourage urban sprawl while  
109 protecting landowner rights. A development authorized under this  
110 subsection must be treated as a conforming use, notwithstanding  
111 the local government's comprehensive plan, future land use  
112 designation, or zoning.

113 (a) A proposed development authorized under this subsection  
114 must be administratively approved, and no further action by the  
115 governing body of the local government is required. ~~A~~ ~~The~~ local  
116 government may not enact or enforce any regulation or law for an

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117 agricultural enclave that is more burdensome than for other  
118 types of applications for comparable densities or intensities of  
119 use. Notwithstanding the future land use designation of the  
120 agricultural enclave or whether it is included in an urban  
121 service district, a local government must approve the  
122 application if it otherwise complies with this subsection and  
123 proposes only single-family residential, community gathering,  
124 and recreational uses at a density that does not exceed the  
125 average density allowed by a future land use designation on any  
126 adjacent parcel that allows a density of at least one dwelling  
127 unit per acre. A local government must treat an agricultural  
128 enclave that is adjacent to an urban service district as if it  
129 were within the urban service district and the owner of a parcel  
130 of land that is the subject of an application for an amendment  
131 shall have 180 days following the date that the local government  
132 receives a complete application to negotiate in good faith to  
133 reach consensus on the land uses and intensities of use that are  
134 consistent with the uses and intensities of use of the  
135 industrial, commercial, or residential areas that surround the  
136 parcel. Within 30 days after the local government's receipt of  
137 such an application, the local government and owner must agree  
138 in writing to a schedule for information submittal, public  
139 hearings, negotiations, and final action on the amendment, which  
140 schedule may thereafter be altered only with the written consent  
141 of the local government and the owner. Compliance with the  
142 schedule in the written agreement constitutes good faith  
143 negotiations for purposes of paragraph (c).

144 (b) ~~Upon conclusion of good faith negotiations under~~  
145 ~~paragraph (a), regardless of whether the local government and~~

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146 ~~owner reach consensus on the land uses and intensities of use~~  
147 ~~that are consistent with the uses and intensities of use of the~~  
148 ~~industrial, commercial, or residential areas that surround the~~  
149 ~~parcel, the amendment must be transmitted to the state land~~  
150 ~~planning agency for review pursuant to s. 163.3184. If the local~~  
151 ~~government fails to transmit the amendment within 180 days after~~  
152 ~~receipt of a complete application, the amendment must be~~  
153 ~~immediately transferred to the state land planning agency for~~  
154 ~~such review. A plan amendment transmitted to the state land~~  
155 ~~planning agency submitted under this subsection is presumed not~~  
156 ~~to be urban sprawl as defined in s. 163.3164. This presumption~~  
157 ~~may be rebutted by clear and convincing evidence.~~

158 ~~(c) If the owner fails to negotiate in good faith, a plan~~  
159 ~~amendment submitted under this subsection is not entitled to the~~  
160 ~~rebuttable presumption under this subsection in the negotiation~~  
161 ~~and amendment process.~~

162 ~~(d)~~ Nothing within this subsection relating to agricultural  
163 enclaves shall preempt or replace any protection currently  
164 existing for any property located within the boundaries of the  
165 following areas:

- 166 1. The Wekiva Study Area, as described in s. 369.316; or
- 167 2. The Everglades Protection Area, as defined in s.  
168 373.4592(2).

169 Section 2. Present subsections (22) through (54) of section  
170 163.3164, Florida Statutes, are redesignated as subsections (23)  
171 through (55), respectively, a new subsection (22) is added to  
172 that section, and subsections (4) and (9) of that section are  
173 amended, to read:

174 163.3164 Community Planning Act; definitions.—As used in

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175 this act:

176 (4) "Agricultural enclave" means an unincorporated,  
177 undeveloped parcel or parcels that:

178 (a) Are ~~is~~ owned by a single person or entity;

179 (b) Have ~~has~~ been in continuous use for bona fide  
180 agricultural purposes, as defined by s. 193.461, for a period of  
181 5 years before ~~prior to~~ the date of any comprehensive plan  
182 amendment application;

183 (c) 1. Are ~~is~~ surrounded on at least 75 percent of their ~~its~~  
184 perimeter by:

185 a.1. A parcel or parcels ~~Property~~ that have ~~has~~ existing  
186 industrial, commercial, or residential development; or

187 b.2. A parcel or parcels ~~Property~~ that the local government  
188 has designated, in the local government's comprehensive plan,  
189 zoning map, and future land use map, as land that is to be  
190 developed for industrial, commercial, or residential purposes,  
191 and at least 75 percent of such parcel or parcels are ~~property~~  
192 ~~is~~ existing industrial, commercial, or residential development;  
193 or

194 2. Do not exceed 640 acres and are surrounded on at least  
195 50 percent of their perimeter by a parcel or parcels that the  
196 local government has designated in the local government's  
197 comprehensive plan and future land use map as land that is to be  
198 developed for industrial, commercial, or residential purposes;  
199 and the parcel or parcels are surrounded on at least 50 percent  
200 of their perimeter by a parcel or parcels within an urban  
201 service district, area, or line;

202 (d) Have ~~Has~~ public services, including water, wastewater,  
203 transportation, schools, and recreation facilities, available or

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204 such public services are scheduled in the capital improvement  
205 element to be provided by the local government or can be  
206 provided by an alternative provider of local government  
207 infrastructure in order to ensure consistency with applicable  
208 concurrency provisions of s. 163.3180; and

209 (e) Do ~~Does~~ not exceed 1,280 acres; however, if the parcel  
210 or parcels are ~~property is~~ surrounded by existing or authorized  
211 residential development that will result in a density at  
212 buildout of at least 1,000 residents per square mile, then the  
213 area shall be determined to be urban and the parcel or parcels  
214 may not exceed 4,480 acres.

215

216 Where a right-of-way or canal exists along the perimeter of a  
217 parcel, the perimeter calculations of the agricultural enclave  
218 must be based on the parcel or parcels across the right-of-way  
219 or canal.

220 (9) "Compatibility" means a condition in which land uses or  
221 conditions can coexist in relative proximity to each other in a  
222 stable fashion over time such that no use or condition is unduly  
223 negatively impacted directly or indirectly by another use or  
224 condition. All residential land use categories, residential  
225 zoning categories, and housing types are compatible with each  
226 other.

227 (22) "Infill residential development" means the development  
228 of one or more parcels that are no more than 100 acres in size  
229 within a future land use category that allows a residential use  
230 and any zoning district that allows a residential use and which  
231 parcels are contiguous with residential development on at least  
232 50 percent of the parcels' boundaries. For purposes of this

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233 subsection, the term "contiguous" means touching, bordering, or  
234 adjoining along a boundary and includes properties that would be  
235 contiguous if not separated by a roadway, railroad, canal, or  
236 other public easement.

237 Section 3. Paragraph (f) of subsection (1) and subsection  
238 (2) of section 163.3177, Florida Statutes, are amended to read:

239 163.3177 Required and optional elements of comprehensive  
240 plan; studies and surveys.—

241 (1) The comprehensive plan shall provide the principles,  
242 guidelines, standards, and strategies for the orderly and  
243 balanced future economic, social, physical, environmental, and  
244 fiscal development of the area that reflects community  
245 commitments to implement the plan and its elements. These  
246 principles and strategies shall guide future decisions in a  
247 consistent manner and shall contain programs and activities to  
248 ensure comprehensive plans are implemented. The sections of the  
249 comprehensive plan containing the principles and strategies,  
250 generally provided as goals, objectives, and policies, shall  
251 describe how the local government's programs, activities, and  
252 land development regulations will be initiated, modified, or  
253 continued to implement the comprehensive plan in a consistent  
254 manner. It is not the intent of this part to require the  
255 inclusion of implementing regulations in the comprehensive plan  
256 but rather to require identification of those programs,  
257 activities, and land development regulations that will be part  
258 of the strategy for implementing the comprehensive plan and the  
259 principles that describe how the programs, activities, and land  
260 development regulations will be carried out. The plan shall  
261 establish meaningful and predictable standards for the use and

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262 development of land and provide meaningful guidelines for the  
263 content of more detailed land development and use regulations.

264 (f) All mandatory and optional elements of the  
265 comprehensive plan and plan amendments shall be based upon  
266 relevant and appropriate data and an analysis by the local  
267 government that may include, but not be limited to, surveys,  
268 studies, community goals and vision, and other data available at  
269 the time of adoption of the comprehensive plan or plan  
270 amendment. To be based on data means to react to it in an  
271 appropriate way and to the extent necessary indicated by the  
272 data available on that particular subject at the time of  
273 adoption of the plan or plan amendment at issue.

274 1. Surveys, studies, and data utilized in the preparation  
275 of the comprehensive plan may not be deemed a part of the  
276 comprehensive plan unless adopted as a part of it. Copies of  
277 such studies, surveys, data, and supporting documents for  
278 proposed plans and plan amendments shall be made available for  
279 public inspection, and copies of such plans shall be made  
280 available to the public upon payment of reasonable charges for  
281 reproduction. Support data or summaries are not subject to the  
282 compliance review process, but the comprehensive plan must be  
283 clearly based on appropriate data. Support data or summaries may  
284 be used to aid in the determination of compliance and  
285 consistency.

286 2. Data must be taken from professionally accepted sources.  
287 The application of a methodology utilized in data collection or  
288 whether a particular methodology is professionally accepted may  
289 be evaluated. However, the evaluation may not include, and a  
290 comprehensive plan may not mandate, whether one accepted

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291 methodology is better than another. Original data collection by  
 292 local governments is not required. However, local governments  
 293 may use original data so long as methodologies are  
 294 professionally accepted.

295 3. The comprehensive plan shall be based upon permanent and  
 296 seasonal population estimates and projections, which shall  
 297 either be those published by the Office of Economic and  
 298 Demographic Research or generated by the local government based  
 299 upon a professionally acceptable methodology. The plan must be  
 300 based on at least the minimum amount of land required to  
 301 accommodate the medium projections as published by the Office of  
 302 Economic and Demographic Research for at least a 10-year  
 303 planning period unless otherwise limited under s. 380.05,  
 304 including related rules of the Administration Commission. Absent  
 305 physical limitations on population growth, population  
 306 projections for each municipality, and the unincorporated area  
 307 within a county must, at a minimum, be reflective of each area's  
 308 proportional share of the total county population and the total  
 309 county population growth.

310 (2) Coordination of the required and optional ~~several~~  
 311 elements of the local comprehensive plan must ~~shall~~ be a major  
 312 objective of the planning process. The required and optional  
 313 ~~several~~ elements of the comprehensive plan must ~~shall~~ be  
 314 consistent. Optional elements of the comprehensive plan may not  
 315 contain policies that restrict the density or intensity  
 316 established in the future land use element. Where data is  
 317 relevant to required and optional ~~several~~ elements, consistent  
 318 data must ~~shall~~ be used, including population estimates and  
 319 projections unless alternative data can be justified by an

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320 applicant for a plan amendment through new supporting data and  
321 analysis. Each map depicting future conditions must reflect the  
322 principles, guidelines, and standards within all elements, and  
323 each such map must be contained within the comprehensive plan.

324 Section 4. Present paragraphs (a) and (b) of subsection (3)  
325 of section 163.31801, Florida Statutes, are redesignated as  
326 paragraphs (b) and (c), respectively, a new paragraph (a) is  
327 added to that subsection, and paragraph (g) of subsection (6) of  
328 that section is republished, to read:

329 163.31801 Impact fees; short title; intent; minimum  
330 requirements; audits; challenges.—

331 (3) For purposes of this section, the term:

332 (a) "Extraordinary circumstance" means an event that is  
333 outside of the control of a local government, school district,  
334 or special district and that prevents the local government,  
335 school district, or special district from fulfilling the  
336 objectives intended to be funded by an impact fee. The term  
337 includes, but is not limited to, a natural disaster or other  
338 major disruption to the security or health of the community or  
339 geographic area served by the local government, school district,  
340 or special district or a significant economic deterioration in  
341 the community or geographic area served by the local government,  
342 school district, or special district which directly and  
343 adversely affects the local government, school district, or  
344 special district. A funding deficiency that is not caused by  
345 such an event is not an extraordinary circumstance.

346 (6) A local government, school district, or special  
347 district may increase an impact fee only as provided in this  
348 subsection.

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349 (g) A local government, school district, or special  
350 district may increase an impact fee rate beyond the phase-in  
351 limitations established under paragraph (b), paragraph (c),  
352 paragraph (d), or paragraph (e) by establishing the need for  
353 such increase in full compliance with the requirements of  
354 subsection (4), provided the following criteria are met:

355 1. A demonstrated-need study justifying any increase in  
356 excess of those authorized in paragraph (b), paragraph (c),  
357 paragraph (d), or paragraph (e) has been completed within the 12  
358 months before the adoption of the impact fee increase and  
359 expressly demonstrates the extraordinary circumstances  
360 necessitating the need to exceed the phase-in limitations.

361 2. The local government jurisdiction has held not less than  
362 two publicly noticed workshops dedicated to the extraordinary  
363 circumstances necessitating the need to exceed the phase-in  
364 limitations set forth in paragraph (b), paragraph (c), paragraph  
365 (d), or paragraph (e).

366 3. The impact fee increase ordinance is approved by at  
367 least a two-thirds vote of the governing body.

368 Section 5. Paragraph (a) of subsection (11) of section  
369 163.3184, Florida Statutes, is amended, and subsection (14) is  
370 added to that section, to read:

371 163.3184 Process for adoption of comprehensive plan or plan  
372 amendment.—

373 (11) PUBLIC HEARINGS.—

374 (a) The procedure for transmittal of a complete proposed  
375 comprehensive plan or plan amendment pursuant to subparagraph  
376 (3) (b) 1. and paragraph (4) (b) and for adoption of a  
377 comprehensive plan or plan amendment pursuant to subparagraphs

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378 (3) (c)1. and (4) (e)1. shall be by affirmative vote of ~~not less~~  
379 ~~than~~ a majority of the members of the governing body present at  
380 the hearing. The adoption of a comprehensive plan or plan  
381 amendment shall be by ordinance approved by affirmative vote of  
382 a majority of the members of the governing body present at the  
383 hearing, except that the adoption of a comprehensive plan or  
384 plan amendment that contains more restrictive or burdensome  
385 procedures concerning development, including, but not limited  
386 to, the review, approval, or issuance of a site plan,  
387 development permit, or development order, must be by affirmative  
388 vote of a supermajority of the members of the governing body.  
389 For the purposes of transmitting or adopting a comprehensive  
390 plan or plan amendment, the notice requirements in chapters 125  
391 and 166 are superseded by this subsection, except as provided in  
392 this part.

393 (14) REVIEW OF APPLICATION.—An owner of real property  
394 subject to a comprehensive plan amendment, or a person applying  
395 for a comprehensive plan amendment that is not adopted by the  
396 local government and who is not provided the opportunity for a  
397 hearing within 180 days after the filing of the application, may  
398 file a civil action for declaratory, injunctive, or other  
399 relief, which must be reviewed de novo. The local government has  
400 the burden of proving by a preponderance of the evidence that  
401 the application is inconsistent with the local government's  
402 comprehensive plan. The court may not use a deferential standard  
403 for the benefit of the local government. The court shall  
404 independently determine whether the local government's existing  
405 comprehensive plan is in compliance. Before initiating such an  
406 action, the owner or applicant may use the dispute resolution

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407 procedures under s. 70.51.

408 Section 6. Present paragraphs (b) through (j) of subsection  
409 (2) of section 163.3202, Florida Statutes, are redesignated as  
410 paragraphs (c) through (k), respectively, a new paragraph (b) is  
411 added to that subsection, and subsection (8) is added to that  
412 section, to read:

413 163.3202 Land development regulations.-

414 (2) Local land development regulations shall contain  
415 specific and detailed provisions necessary or desirable to  
416 implement the adopted comprehensive plan and shall at a minimum:

417 (b) By January 1, 2026, establish minimum lot sizes within  
418 single-family, two-family, and fee simple, single-family  
419 townhouse zoning districts, including planned unit development  
420 and site plan controlled zoning districts allowing these uses,  
421 to accommodate and achieve the maximum density authorized in the  
422 comprehensive plan, net of the land area required to be set  
423 aside for subdivision roads, sidewalks, stormwater ponds, open  
424 space, and landscape buffers and any other land area required to  
425 be set aside pursuant to mandatory land development regulations  
426 which could otherwise be used for the development of single-  
427 family homes, two-family homes, and fee simple, single-family  
428 townhouses.

429 (8) Notwithstanding any ordinance to the contrary, an  
430 application for an infill residential development must be  
431 administratively approved without requiring a comprehensive plan  
432 amendment, rezoning, variance, or any other public hearing by  
433 any board or reviewing body if the proposed infill residential  
434 development is consistent with current development standards and  
435 the density of the proposed infill residential development is

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436 the same as the average density of contiguous properties. A  
437 development authorized under this subsection must be treated as  
438 a conforming use, notwithstanding the local government's  
439 comprehensive plan, future land use designation, or zoning.

440 Section 7. Present subsections (1) through (12) and (13) of  
441 section 720.301, Florida Statutes, are redesignated as  
442 subsections (4) through (15) and (17), respectively, new  
443 subsections (1), (2), and (3) and subsection (16) are added to  
444 that section, and present subsections (1), (8), and (10) of that  
445 section are amended, to read:

446 720.301 Definitions.—As used in this chapter, the term:

447 (1) "Amenity dues" means amenity expenses and amenity fees,  
448 if any, in any combination, charged in accordance with a  
449 recreational covenant. The term does not include the expenses of  
450 a homeowners' association.

451 (2) "Amenity expenses" means the costs of owning,  
452 operating, managing, maintaining, and insuring privately owned  
453 commercial recreational facilities or amenities made available  
454 to parcel owners pursuant to a recreational covenant, whether  
455 directly or indirectly. The term includes, but is not limited  
456 to, maintenance, cleaning fees, trash collection, utility  
457 charges, cable service charges, legal fees, management fees,  
458 reserves, repairs, replacements, refurbishments, payroll and  
459 payroll costs, insurance, working capital, and ad valorem or  
460 other taxes, costs, expenses, levies, and charges of any nature  
461 which may be levied or imposed against, or in connection with,  
462 the commercial recreational facilities or amenities made  
463 available to parcel owners pursuant to a recreational covenant.  
464 The term does not include income taxes or the initial cost of

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465 construction of recreational facilities or amenities.

466 (3) "Amenity fee" means any amounts, other than amenity  
467 expenses, due in accordance with a recreational covenant which  
468 are levied against parcel owners for recreational memberships or  
469 use. An amenity fee may be composed in part of profit or other  
470 components to be paid to a private third-party commercial  
471 recreational facility or amenity owner, which may be the  
472 developer, as provided in a recreational covenant. The term does  
473 not include the expenses of a homeowners' association.

474 (4)-(1) "Assessment" or "amenity fee" means a sum or sums of  
475 money payable to the association, to the developer or other  
476 owner of common areas, or to recreational facilities and other  
477 properties serving the parcels by the owners of one or more  
478 parcels as authorized in the governing documents, which if not  
479 paid by the owner of a parcel, can result in a lien against the  
480 parcel by the association. The term does not include amenity  
481 dues, amenity expenses, or amenity fees.

482 (11)-(8) "Governing documents" means:

483 (a) the recorded declaration of covenants for a community  
484 and all duly adopted and recorded amendments, supplements, and  
485 recorded exhibits thereto; and

486 (b) the articles of incorporation and bylaws of the  
487 homeowners' association and any duly adopted amendments thereto.  
488 The term does not include recreational covenants respecting  
489 commercial recreational facilities or amenities, regardless of  
490 whether such recreational covenants are attached as exhibits to  
491 a declaration of covenants for a community.

492 (13)-(10) "Member" means a member of an association, and may  
493 include, but is not limited to, a parcel owner or an association

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494 representing parcel owners or a combination thereof, and  
495 includes any person or entity obligated by the governing  
496 documents to pay an assessment to the association ~~or amenity~~  
497 ~~fee~~.

498 (16) "Recreational covenant" means a recorded covenant,  
499 separate and distinct from a declaration of covenants, which  
500 provides the nature and requirements of a membership in or the  
501 use or purchase of privately owned commercial recreational  
502 facilities or amenities for parcel owners in one or more  
503 communities or community development districts and which:

504 (a) Is recorded in the public records of the county in  
505 which the recreational facility or amenity or a property  
506 encumbered thereby is located;

507 (b) Contains information regarding the amenity dues that  
508 may be imposed on members and other persons permitted to use the  
509 recreational facility or amenity and remedies that the  
510 recreational facility or amenity owner or other third party may  
511 have upon nonpayment of such amenity fees; and

512 (c) Requires mandatory membership or mandatory payment of  
513 amenity dues by some or all of the parcel owners in a community.

514 Section 8. Subsection (3) of section 720.302, Florida  
515 Statutes, is amended, and subsection (6) is added to that  
516 section, to read:

517 720.302 Purposes, scope, and application.—

518 (3) This chapter does not apply to:

519 (a) A community that is composed of property primarily  
520 intended for commercial, industrial, or other nonresidential  
521 use; or

522 (b) The commercial or industrial parcels, including amenity

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523 or recreational properties governed by a recreational covenant,  
524 in a community that contains both residential parcels and  
525 parcels intended for commercial or industrial use.

526 (6) This chapter does not apply to recreational covenants  
527 or recreational facilities or amenities governed by a  
528 recreational covenant except as provided in ss. 720.3086 and  
529 720.319.

530 Section 9. Section 720.3086, Florida Statutes, is amended  
531 to read:

532 720.3086 Financial report.—In a residential subdivision in  
533 which the owners of lots or parcels must pay ~~mandatory~~  
534 ~~maintenance or amenity dues fees~~ to the subdivision developer or  
535 to the owners of the ~~common areas,~~ recreational facilities and  
536 amenities, and other properties serving the lots or parcels, the  
537 developer or owner of such ~~areas,~~ facilities or amenities, or  
538 properties shall make public, within 60 days following the end  
539 of each fiscal year, a complete financial report of the actual,  
540 total receipts of ~~mandatory maintenance or amenity dues fees~~  
541 received by it, and an itemized listing of the expenditures made  
542 for the operational costs, expenses, or other amounts expended  
543 for the operation of such facilities or amenities or properties  
544 by it from such fees, for that year. Such report shall be made  
545 public by mailing it to each ~~lot or~~ parcel owner in the  
546 subdivision who is subject to the payment of such amenity dues,  
547 by publishing a notice of availability for inspection ~~it~~ in a  
548 publication regularly distributed within the subdivision, or by  
549 posting a notice of availability for inspection ~~it~~ in a  
550 prominent location ~~locations~~ in the subdivision and in each such  
551 facility or amenity or property. The report must also be made

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552 available to a parcel owner within the subdivision who makes a  
553 written request to inspect the report. This section does not  
554 apply to assessments or other amounts paid to homeowner  
555 associations pursuant to chapter 617, chapter 718, chapter 719,  
556 chapter 721, or chapter 723, or to amounts paid to local  
557 governmental entities, including special districts.

558 Section 10. Section 720.319, Florida Statutes, is created  
559 to read:

560 720.319 Parcels subject to a recreational covenant.-

561 (1) A parcel within a community may be subject to a  
562 recreational covenant. Recreational facilities and amenities  
563 governed by a recreational covenant are not a part of a common  
564 area.

565 (2) Amenity dues may only be imposed and collected as  
566 provided in a recreational covenant.

567 (3) A recreational covenant recorded on or after July 1,  
568 2025, which creates mandatory membership in a club or imposes  
569 mandatory amenity dues on parcel owners must specify all of the  
570 following:

571 (a) The parcels within the community which are or will be  
572 subject to mandatory membership in a club or to the imposition  
573 of mandatory amenity dues.

574 (b) The person responsible for owning, maintaining, and  
575 operating the recreational facility or amenity governed by the  
576 recreational covenant, which may be the developer.

577 (c) The manner in which amenity dues are apportioned and  
578 collected from each encumbered parcel owner, and the person  
579 authorized to collect such dues. The recreational covenant must  
580 specify the components that comprise the amenity dues, which may

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581 include any combination of the amenity expenses or amenity fees.

582 (d) The amount of any amenity fees included in the amenity  
583 dues. If the amount of such amenity fees is not specified, the  
584 recreational covenant must specify the manner in which such fees  
585 are calculated.

586 (e) The manner in which amenity fees may be increased,  
587 which increase may occur periodically by a fixed percentage, a  
588 fixed dollar amount, or in accordance with increases in the  
589 consumer price index.

590 (f) The collection rights and remedies that are available  
591 for enforcing payment of amenity dues.

592 (g) A statement of whether collection rights to enforce  
593 payment of amenity dues are subordinate to an association's  
594 right to collect assessments.

595 (h) A statement of whether the recreational facility or  
596 amenity is open to the public or may be used by persons who are  
597 not members or parcel owners within the community.

598 (4) (a) A recreational covenant recorded before July 1,  
599 2025, must comply with the requirements of paragraphs (3) (a)-(d)  
600 by July 1, 2026, to remain valid and effective after that date.

601 (b) If a recreational covenant recorded before July 1,  
602 2025, does not specify the manner in which amenity fees may be  
603 increased as required by paragraph (3) (e), the increase in such  
604 amenity fees is limited to a maximum annual increase in an  
605 amount equal to the annual increase in the Consumer Price Index  
606 for All Urban Consumers, U.S. City Average, All Items.

607 (5) A recreational covenant that does not specify the  
608 amount by which amenity expenses may be increased is limited to  
609 a maximum annual increase of 25 percent of the amenity expenses

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610 from the preceding fiscal year. This limitation does not  
 611 prohibit an increase in amenity expenses resulting from a  
 612 natural disaster, an act of God, an increase in insurance costs,  
 613 an increase in utility rates, an increase in supply costs, an  
 614 increase in labor rates, or any other circumstance outside of  
 615 the reasonable control of the owner or other person responsible  
 616 for maintaining or operating the recreational facility or  
 617 amenity governed by the recreational covenant.

618 (6) A recreational covenant may not require an association  
 619 to collect amenity dues on behalf of a private third-party  
 620 commercial recreational facility or amenity owner. The private  
 621 third-party commercial recreational facility or amenity owner is  
 622 solely responsible for the collection of such dues.

623 (7) Beginning July 1, 2025, each contract for the sale of a  
 624 parcel by a developer or builder to a third party which is  
 625 governed by an association but is also subject to a recreational  
 626 covenant must contain in conspicuous type a clause that  
 627 substantially states:

628  
 629 DISCLOSURE SUMMARY

630  
 631 YOUR LOT, DWELLING, AND/OR PARCEL IS SUBJECT TO A  
 632 RECREATIONAL COVENANT. AS A PURCHASER OF PROPERTY  
 633 SUBJECT TO THE RECREATIONAL COVENANT, YOU WILL BE  
 634 OBLIGATED TO PAY AMENITY DUES TO A PRIVATE THIRD-PARTY  
 635 COMMERCIAL RECREATIONAL FACILITY OR AMENITY OWNER.

636  
 637 BUYER ACKNOWLEDGES ALL OF THE FOLLOWING:  
 638

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639       (1) THE RECREATIONAL FACILITY OR AMENITY GOVERNED BY  
640       THE RECREATIONAL COVENANT IS NOT A COMMON AREA OF THE  
641       HOMEOWNERS' ASSOCIATION AND IS NOT OWNED OR CONTROLLED  
642       BY THE HOMEOWNERS' ASSOCIATION. THE RECREATIONAL  
643       COVENANT IS NOT A GOVERNING DOCUMENT OF THE  
644       ASSOCIATION.

645  
646       (2) CHARGES FOR AMENITY DUES WILL BE GOVERNED BY THE  
647       RECREATIONAL COVENANT. THE RECREATIONAL COVENANT  
648       CONTAINS IMPORTANT PROVISIONS AND RIGHTS AND IS OR  
649       WILL BE AVAILABLE IN THE PUBLIC RECORDS OF THE COUNTY.

650  
651       (3) THE PARTY THAT CONTROLS THE MAINTENANCE AND  
652       OPERATION OF THE RECREATIONAL FACILITY OR AMENITY  
653       DETERMINES THE BUDGET FOR THE OPERATION AND  
654       MAINTENANCE OF SUCH RECREATIONAL FACILITY OR AMENITY.  
655       HOWEVER, THE PARCEL OWNERS SUBJECT TO THE RECREATIONAL  
656       COVENANT ARE STILL RESPONSIBLE FOR AMENITY DUES.

657  
658       (4) AMENITY DUES MAY BE SUBJECT TO PERIODIC CHANGE.  
659       AMENITY DUES ARE IN ADDITION TO, AND SEPARATE AND  
660       DISTINCT FROM, ASSESSMENTS LEVIED BY THE HOMEOWNERS'  
661       ASSOCIATION.

662  
663       (5) FAILURE TO PAY AMENITY DUES OR OTHER CHARGES  
664       IMPOSED BY A PRIVATE THIRD-PARTY COMMERCIAL  
665       RECREATIONAL FACILITY OR AMENITY OWNER MAY RESULT IN A  
666       LIEN ON YOUR PROPERTY.

667

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668       (6) THIRD PARTIES WHO ARE NOT MEMBERS OF THE  
669       HOMEOWNERS' ASSOCIATION MAY HAVE THE RIGHT TO ACCESS  
670       AND USE THE RECREATIONAL FACILITY OR AMENITY, AS  
671       DETERMINED BY THE ENTITY THAT CONTROLS SUCH  
672       PROPERTIES.

673

674       (7) MANDATORY MEMBERSHIP REQUIREMENTS OR OTHER  
675       OBLIGATIONS TO PAY AMENITY DUES CAN BE FOUND IN THE  
676       RECREATIONAL COVENANT OR OTHER RECORDED INSTRUMENT.

677

678       (8) THE PRIVATE THIRD-PARTY COMMERCIAL RECREATIONAL  
679       FACILITY OR AMENITY OWNER MAY HAVE THE RIGHT TO AMEND  
680       THE RECREATIONAL COVENANT WITHOUT THE APPROVAL OF  
681       MEMBERS OR PARCEL OWNERS, SUBJECT TO THE TERMS OF THE  
682       RECREATIONAL COVENANT AND SECTION 720.319, FLORIDA  
683       STATUTES.

684

685       (9) THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM  
686       ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE  
687       PURCHASER, YOU SHOULD REFER TO THE RECREATIONAL  
688       COVENANTS BEFORE PURCHASE. THE RECREATIONAL COVENANT  
689       IS EITHER A MATTER OF PUBLIC RECORD AND CAN BE  
690       OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE  
691       THE PROPERTY IS LOCATED OR IS NOT RECORDED AND CAN BE  
692       OBTAINED FROM THE DEVELOPER.

693

694       (8) This section may not be construed to impair the  
695       validity or effectiveness of a recreational covenant recorded  
696       before July 1, 2025, except as provided in paragraph (4) (a).

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697           Section 11. The amendments made to ss. 720.301 and 720.302,  
698 Florida Statutes, and s. 720.319(1), Florida Statutes, as  
699 created by this act, are intended to clarify existing law and  
700 shall apply retroactively, but do not revive or reinstate any  
701 right or interest that has been fully and finally adjudicated as  
702 invalid before July 1, 2025.

703           Section 12. Paragraph (d) of subsection (2) of section  
704 212.055, Florida Statutes, is amended to read:

705           212.055 Discretionary sales surtaxes; legislative intent;  
706 authorization and use of proceeds.—It is the legislative intent  
707 that any authorization for imposition of a discretionary sales  
708 surtax shall be published in the Florida Statutes as a  
709 subsection of this section, irrespective of the duration of the  
710 levy. Each enactment shall specify the types of counties  
711 authorized to levy; the rate or rates which may be imposed; the  
712 maximum length of time the surtax may be imposed, if any; the  
713 procedure which must be followed to secure voter approval, if  
714 required; the purpose for which the proceeds may be expended;  
715 and such other requirements as the Legislature may provide.  
716 Taxable transactions and administrative procedures shall be as  
717 provided in s. 212.054.

718           (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

719           (d) The proceeds of the surtax authorized by this  
720 subsection and any accrued interest shall be expended by the  
721 school district, within the county and municipalities within the  
722 county, or, in the case of a negotiated joint county agreement,  
723 within another county, to finance, plan, and construct  
724 infrastructure; to acquire any interest in land for public  
725 recreation, conservation, or protection of natural resources or

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726 to prevent or satisfy private property rights claims resulting  
727 from limitations imposed by the designation of an area of  
728 critical state concern; to provide loans, grants, or rebates to  
729 residential or commercial property owners who make energy  
730 efficiency improvements to their residential or commercial  
731 property, if a local government ordinance authorizing such use  
732 is approved by referendum; or to finance the closure of county-  
733 owned or municipally owned solid waste landfills that have been  
734 closed or are required to be closed by order of the Department  
735 of Environmental Protection. Any use of the proceeds or interest  
736 for purposes of landfill closure before July 1, 1993, is  
737 ratified. The proceeds and any interest may not be used for the  
738 operational expenses of infrastructure, except that a county  
739 that has a population of fewer than 75,000 and that is required  
740 to close a landfill may use the proceeds or interest for long-  
741 term maintenance costs associated with landfill closure.  
742 Counties, as defined in s. 125.011, and charter counties may, in  
743 addition, use the proceeds or interest to retire or service  
744 indebtedness incurred for bonds issued before July 1, 1987, for  
745 infrastructure purposes, and for bonds subsequently issued to  
746 refund such bonds. Any use of the proceeds or interest for  
747 purposes of retiring or servicing indebtedness incurred for  
748 refunding bonds before July 1, 1999, is ratified.

749 1. For the purposes of this paragraph, the term  
750 "infrastructure" means:

751 a. Any fixed capital expenditure or fixed capital outlay  
752 associated with the construction, reconstruction, or improvement  
753 of public facilities that have a life expectancy of 5 or more  
754 years, any related land acquisition, land improvement, design,

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755 and engineering costs, and all other professional and related  
756 costs required to bring the public facilities into service. For  
757 purposes of this sub-subparagraph, the term "public facilities"  
758 means facilities as defined in s. 163.3164(42) ~~s. 163.3164(41)~~,  
759 s. 163.3221(13), or s. 189.012(5), and includes facilities that  
760 are necessary to carry out governmental purposes, including, but  
761 not limited to, fire stations, general governmental office  
762 buildings, and animal shelters, regardless of whether the  
763 facilities are owned by the local taxing authority or another  
764 governmental entity.

765 b. A fire department vehicle, an emergency medical service  
766 vehicle, a sheriff's office vehicle, a police department  
767 vehicle, or any other vehicle, and the equipment necessary to  
768 outfit the vehicle for its official use or equipment that has a  
769 life expectancy of at least 5 years.

770 c. Any expenditure for the construction, lease, or  
771 maintenance of, or provision of utilities or security for,  
772 facilities, as defined in s. 29.008.

773 d. Any fixed capital expenditure or fixed capital outlay  
774 associated with the improvement of private facilities that have  
775 a life expectancy of 5 or more years and that the owner agrees  
776 to make available for use on a temporary basis as needed by a  
777 local government as a public emergency shelter or a staging area  
778 for emergency response equipment during an emergency officially  
779 declared by the state or by the local government under s.  
780 252.38. Such improvements are limited to those necessary to  
781 comply with current standards for public emergency evacuation  
782 shelters. The owner must enter into a written contract with the  
783 local government providing the improvement funding to make the

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784 private facility available to the public for purposes of  
785 emergency shelter at no cost to the local government for a  
786 minimum of 10 years after completion of the improvement, with  
787 the provision that the obligation will transfer to any  
788 subsequent owner until the end of the minimum period.

789 e. Any land acquisition expenditure for a residential  
790 housing project in which at least 30 percent of the units are  
791 affordable to individuals or families whose total annual  
792 household income does not exceed 120 percent of the area median  
793 income adjusted for household size, if the land is owned by a  
794 local government or by a special district that enters into a  
795 written agreement with the local government to provide such  
796 housing. The local government or special district may enter into  
797 a ground lease with a public or private person or entity for  
798 nominal or other consideration for the construction of the  
799 residential housing project on land acquired pursuant to this  
800 sub-subparagraph.

801 f. Instructional technology used solely in a school  
802 district's classrooms. As used in this sub-subparagraph, the  
803 term "instructional technology" means an interactive device that  
804 assists a teacher in instructing a class or a group of students  
805 and includes the necessary hardware and software to operate the  
806 interactive device. The term also includes support systems in  
807 which an interactive device may mount and is not required to be  
808 affixed to the facilities.

809 2. For the purposes of this paragraph, the term "energy  
810 efficiency improvement" means any energy conservation and  
811 efficiency improvement that reduces consumption through  
812 conservation or a more efficient use of electricity, natural

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813 gas, propane, or other forms of energy on the property,  
814 including, but not limited to, air sealing; installation of  
815 insulation; installation of energy-efficient heating, cooling,  
816 or ventilation systems; installation of solar panels; building  
817 modifications to increase the use of daylight or shade;  
818 replacement of windows; installation of energy controls or  
819 energy recovery systems; installation of electric vehicle  
820 charging equipment; installation of systems for natural gas fuel  
821 as defined in s. 206.9951; and installation of efficient  
822 lighting equipment.

823 3. Notwithstanding any other provision of this subsection,  
824 a local government infrastructure surtax imposed or extended  
825 after July 1, 1998, may allocate up to 15 percent of the surtax  
826 proceeds for deposit into a trust fund within the county's  
827 accounts created for the purpose of funding economic development  
828 projects having a general public purpose of improving local  
829 economies, including the funding of operational costs and  
830 incentives related to economic development. The ballot statement  
831 must indicate the intention to make an allocation under the  
832 authority of this subparagraph.

833 Section 13. Paragraph (a) of subsection (1) of section  
834 336.125, Florida Statutes, is amended to read:

835 336.125 Closing and abandonment of roads; optional  
836 conveyance to homeowners' association; traffic control  
837 jurisdiction.—

838 (1)(a) In addition to the authority provided in s. 336.12,  
839 the governing body of the county may abandon the roads and  
840 rights-of-way dedicated in a recorded residential subdivision  
841 plat and simultaneously convey the county's interest in such

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842 roads, rights-of-way, and appurtenant drainage facilities to a  
843 homeowners' association for the subdivision, if the following  
844 conditions have been met:

845 1. The homeowners' association has requested the  
846 abandonment and conveyance in writing for the purpose of  
847 converting the subdivision to a gated neighborhood with  
848 restricted public access.

849 2. No fewer than four-fifths of the owners of record of  
850 property located in the subdivision have consented in writing to  
851 the abandonment and simultaneous conveyance to the homeowners'  
852 association.

853 3. The homeowners' association is both a corporation not  
854 for profit organized and in good standing under chapter 617, and  
855 a "homeowners' association" as defined in s. 720.301 ~~s.~~  
856 ~~720.301(9)~~ with the power to levy and collect assessments for  
857 routine and periodic major maintenance and operation of street  
858 lighting, drainage, sidewalks, and pavement in the subdivision.

859 4. The homeowners' association has entered into and  
860 executed such agreements, covenants, warranties, and other  
861 instruments; has provided, or has provided assurance of, such  
862 funds, reserve funds, and funding sources; and has satisfied  
863 such other requirements and conditions as may be established or  
864 imposed by the county with respect to the ongoing operation,  
865 maintenance, and repair and the periodic reconstruction or  
866 replacement of the roads, drainage, street lighting, and  
867 sidewalks in the subdivision after the abandonment by the  
868 county.

869 Section 14. Subsection (29) of section 479.01, Florida  
870 Statutes, is amended to read:

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871 479.01 Definitions.—As used in this chapter, the term:  
872 (29) "Zoning category" means the designation under the land  
873 development regulations or other similar ordinance enacted to  
874 regulate the use of land as provided in s. 163.3202(2)(c) ~~s.~~  
875 ~~163.3202(2)(b)~~, which designation sets forth the allowable uses,  
876 restrictions, and limitations on use applicable to properties  
877 within the category.

878 Section 15. Subsection (2) of section 558.002, Florida  
879 Statutes, is amended to read:

880 558.002 Definitions.—As used in this chapter, the term:  
881 (2) "Association" has the same meaning as in s. 718.103, s.  
882 719.103(2), s. 720.301(12) ~~s. 720.301(9)~~, or s. 723.075.

883 Section 16. Section 617.0725, Florida Statutes, is amended  
884 to read:

885 617.0725 Quorum.—An amendment to the articles of  
886 incorporation or the bylaws which adds, changes, or deletes a  
887 greater or lesser quorum or voting requirement must meet the  
888 same quorum or voting requirement and be adopted by the same  
889 vote and voting groups required to take action under the quorum  
890 and voting requirements then in effect or proposed to be  
891 adopted, whichever is greater. This section does not apply to  
892 any corporation that is an association, as defined in s.  
893 720.301(12) ~~s. 720.301(9)~~, or any corporation regulated under  
894 chapter 718 or chapter 719.

895 Section 17. Paragraph (b) of subsection (1) of section  
896 718.116, Florida Statutes, is amended to read:

897 718.116 Assessments; liability; lien and priority;  
898 interest; collection.—

899 (1)

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900 (b)1. The liability of a first mortgagee or its successor  
901 or assignees who acquire title to a unit by foreclosure or by  
902 deed in lieu of foreclosure for the unpaid assessments that  
903 became due before the mortgagee's acquisition of title is  
904 limited to the lesser of:

905 a. The unit's unpaid common expenses and regular periodic  
906 assessments which accrued or came due during the 12 months  
907 immediately preceding the acquisition of title and for which  
908 payment in full has not been received by the association; or

909 b. One percent of the original mortgage debt. The  
910 provisions of this paragraph apply only if the first mortgagee  
911 joined the association as a defendant in the foreclosure action.  
912 Joinder of the association is not required if, on the date the  
913 complaint is filed, the association was dissolved or did not  
914 maintain an office or agent for service of process at a location  
915 which was known to or reasonably discoverable by the mortgagee.

916 2. An association, or its successor or assignee, that  
917 acquires title to a unit through the foreclosure of its lien for  
918 assessments is not liable for any unpaid assessments, late fees,  
919 interest, or reasonable attorney's fees and costs that came due  
920 before the association's acquisition of title in favor of any  
921 other association, as defined in s. 718.103 or s. 720.301(12) ~~s.~~  
922 ~~720.301(9)~~, which holds a superior lien interest on the unit.  
923 This subparagraph is intended to clarify existing law.

924 Section 18. Paragraph (d) of subsection (2) of section  
925 720.3085, Florida Statutes, is amended to read:

926 720.3085 Payment for assessments; lien claims.—

927 (2)

928 (d) An association, or its successor or assignee, that

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929 acquires title to a parcel through the foreclosure of its lien  
930 for assessments is not liable for any unpaid assessments, late  
931 fees, interest, or reasonable attorney's fees and costs that  
932 came due before the association's acquisition of title in favor  
933 of any other association, as defined in s. 718.103 or s.  
934 720.301(12) ~~s. 720.301(9)~~, which holds a superior lien interest  
935 on the parcel. This paragraph is intended to clarify existing  
936 law.

937 Section 19. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

03/17/25

Meeting Date

SB 1118

Bill Number or Topic

Community Affairs

Committee

205334

Amendment Barcode (if applicable)

Name Matthew Grocholske

Phone

Address 1707 Lee Rd

Email

Street

Winter Park

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Orange County Soil and Water DS Supervisor

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenote.gov\)](#)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB 1118

Bill Number or Topic

Community Affairs

Committee

632862

Amendment Barcode (if applicable)

Name Matthew Giochowski

Phone

Address 2702 Lee Rd

Email

Street

Winter Park

FL

32789

City

State

Zip

Speaking: [ ] For [X] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Orange County Soil and Water Superfund DS

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/17/25

Meeting Date

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

1118

Bill Number or Topic

632862

Amendment Barcode (if applicable)

CA

Committee

Name Jared Willis

Phone

Address 215 S. Monroe St., Ste. 510

Email jared@themayernickgroup.com

Street

32301

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

McKinnon Groves

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25

Meeting Date

1118

Bill Number or Topic

Community Affairs

Committee

632862

Amendment Barcode (if applicable)

Name Karen Woodall

Phone 850-321-9386

Address 579 E. Call St.

Street

Email fcstep@yahoo.com

Tallahassee, FL

City

State

32301

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:  
Sierra Club

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/25

Meeting Date

Community Affairs

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 1118

Bill Number or Topic

632862

Amendment Barcode (if applicable)

Name JEFF SCALA

Phone (727) 637-4081

Address 100 S Monroe St

Street

Email jscala@flcounties.com

Tallahassee

City

FL

State

32301

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Association of Counties

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-17-25

SB 1118

Meeting Date

S. COMMUNITY AFFAIRS

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic

432902 DE

Committee

Amendment Barcode (if applicable)

Name

KARI HEIBRANK

Phone

850-546-1824

Address

215 S. Monroe St. #500

Email

kheibrank@carlton  
files.com

Street

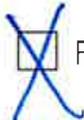
TALLAHASSEE FL 32301

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:

FL HOME BUILDERS ASSOC.



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-joint-rules-pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25

Meeting Date

1118

Bill Number or Topic

Community Affairs

Committee

205334

Amendment Barcode (if applicable)

Name Louis Rotundo

Phone 407-699-9361

Address 302 Pinecrest Circle  
Street

Email LOR5002@aol.com

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

City of Altamonte Springs

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1118

03/17/25

Meeting Date

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Matthew Grocholske

Phone 863 224 7501

Address 1707 Lee Rd

Email

Street

Winter Park

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Orange County Soil and Water D5

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1118

Bill Number or Topic

3/17/2025

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

COMMUNITY AFFAIRS

Committee

Amendment Barcode (if applicable)

Name ELIZABETH ARAVI Phone

Address 2001 THOMPSONVILLE RD Email Beth.Aravi@AUDUBON.ORG

TALLAHASSEE FL 32308

City

State

Zip

Speaking: [ ] For [x] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

AUDUBON FLORIDA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25

Meeting Date

1118

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name David Cruz

Phone 701-3676

Address P.O. Box 1757

Street

Email DCRUZ@FCCITIES.COM

Tallahassee FL

City

State

32302

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida League of Cities

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

3/17/25

Meeting Date

# The Florida Senate APPEARANCE RECORD

1118  
~~1181018~~

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Debbie DeLand Phone 407 234-6408

Address 6278 Miramonte Dr 104 Email dodeland@att.net  
Street

Orlando FL 32835  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 1118

Bill Number or Topic

3/10/17

Meeting Date

Community Affairs

Committee

Amendment Barcode (if applicable)

Name FRANKLIN HILEMAN

Phone 786 518 9624

Address 83093 Village Walk

Email franklinhileman1@gmail.com

Street

FERNANDINA BEACH FL 32034

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25

Meeting Date

SB1118

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name DAVE GATTIS

Phone 727 218 8358

Address 309 22ND ST  
Street

Email dave.gattis@cityofbelloclearbeach.com

BELLEAIR BEACH FL 33786  
City State Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/17/25  
Meeting Date

SB1118  
Bill Number or Topic

Senate Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Chadwick Leonard Phone 407 954 0605

Address 308 N. Monroe Email \_\_\_\_\_  
Street

Tallahassee FL 32301  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:  
1000 Friends of Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/25 Meeting Date

1118 Bill Number or Topic

CA Committee

Amendment Barcode (if applicable)

Name Edward Briggis Phone 850-933-5994

Address Street

City State Zip

Speaking: [X] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

Highland Homes

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB1118

Bill Number or Topic

3/17/25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Community Affairs

Committee

Amendment Barcode (if applicable)

Avelia Perkins

Name

909-262-8407

Phone

9470 SW 99th Ct. D

Address

perkys913@gmail.com

Email

Street

Ocala

City

FL

State

34481

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1118

Bill Number or Topic

Amendment Barcode (if applicable)

3/17/25

Meeting Date

Community Affairs

Committee

Name

Karen Woodall

Phone

850-321-9386

Address

579 E. Call St.

Email

fcfe@yahoo.com

Street

Tallahassee, FL

State

32301

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Sierra Club

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB1118  
Bill Number or Topic

3/17/25  
Meeting Date  
Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Vance Ahrens Phone

Address 2909 W New Haven Ave #365 Email  
Street

W Melb, FL 32904  
City State Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

- I am appearing without compensation or sponsorship.
- I am a registered lobbyist, representing:
- I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate

APPEARANCE RECORD

SB1118

3/17/25

Meeting Date

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Ash Bradley

Phone

Address 7114 Lawnview Ct

Email

Street

Tampa FL 33615

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-17-25

Meeting Date

1118

Bill Number or Topic

Comm Affairs

Committee

Amendment Barcode (if applicable)

Name Chris Doolin

Phone 850-508-5492

Address 1018 Thomasville Rd. 102B

Email cdoolin@doolinandassoc.com

Street

Talla. FL 32303

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

SMALL COUNTY COALITION

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1118

3/17/25

Meeting Date

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

JEFF SHARKEY

Phone

820 443 3355

Address

106 E College Ave # 1110

Email

JEFF@SHARKEYSHARKEY.COM

Street

DC

FL

32301

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

PRIMARCH VENTURES

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1118

~~SB 1118~~

3/17/2025

Meeting Date

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Carlton Taylor

Phone

Address 3705 Dorset Way

Email

Street

Tallahassee

FL

32303

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1118

03/17/25

Meeting Date

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Sandra J Plumadore

Phone 352-212-0001

Address 927 Cedar Ave

Email cpagram@yahoo.com

Street

Inverness, FL 34452

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

March 17, 2025

Meeting Date

SB 1118

Bill Number or Topic

Community Affairs

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Deborah Daniels

Phone 352-476-1213

Address 9312 SW 97th Pl - B

Email danielsdeb58@gmail.com

Ocala FL 34481

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/25

Meeting Date

# The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 1118

Bill Number or Topic

Committee

Name Francine Julius Edwards

Amendment Barcode (if applicable)

Phone 352-562-0514

Address 9825 SE 140th St

Email khamilah42@yahoo.com

Street

City Summerfield State \_\_\_\_\_ Zip 34491

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11,045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/17/27

Meeting Date

1118

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Julie A. Kent

Phone 321-662-2596

Address 4498 Twinview lane

Email julieakent@gmail.com

Street

Orlando

FL

32814

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

03/17/25

Meeting Date

SB 1118

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone

Address

Email

Street

City

State

Zip

Speaking:  For  Against  Information

OR

Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Rising

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenote.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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03/17/25

Meeting Date

SB 1118

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Echo Nova

Phone 904-625-8188

Address 1872 Vista Lakes Drive

Email quantisedecho@gmail.com

Street

Fleming Island

FL

32003

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1118

Bill Number or Topic

3/17/25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Community Affairs

Committee

Amendment Barcode (if applicable)

Name ~~David~~ Natalie Kato

Phone 763 221 3151

Address 113 E. College Ave Suite 203

Street

Email

Tallahassee

City

FL

State

32301

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Alliance for Commercial Real Estate

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

17 MAR 2025

Meeting Date

1118

Bill Number or Topic

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name Kahreem Golden

Phone 850-345-7108

Address 1035 S. Semoran Blvd, Suite 2-1021B

Email kahreem.golden@tnc.org

Street

Winter Park

City

FL

State

32792

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

The Nature Conservancy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/17/2025 Meeting Date

SB 1118 Bill Number or Topic

Community Affairs Committee

Amendment Barcode (if applicable)

Name Yenisbel Vilario Phone

Address Street Email

City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing: SIX Action

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/17/25

Meeting Date

1118

Bill Number or Topic

CA

Committee

Amendment Barcode (if applicable)

Name

Jared Willis

Phone

Address

215 S Monroe St., Ste. 510

Email

jared@themajernickgroup.com

Street

32301

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

McKinnon Groves

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/17/25

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

1118

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name MARK Jeffries

Phone 407-836-5909

Address 201 S. Rosalind Ave

Email MARK.jeffries@ocfl.net

Street

Orlando, FL 32818

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Orange County

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Community Affairs

---

BILL: CS/SB 1134

INTRODUCER: Community Affairs Committee and Senator Calatayud

SUBJECT: Alternative Plans Review and Inspections

DATE: March 18, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	Fav/CS
2.			RI	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Technical Changes

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**I. Summary:**

CS/SB 1134 allows private providers to perform “single-trade plans review,” an analogous concept to single-trade inspections provided for in current law, authorizing private provider plans review for single construction trades such as plumbing, mechanical, or electrical. Single-trade plans review can be conducted using an automated or software-based system and qualifies for expedited permit processing, from 20 days to five, for single-family and two-family dwellings.

The bill also expands the universe of valid trade work for which private providers can perform inspections, and now plans review, to include solar energy and energy storage installations or alterations, and specifically allows private providers to conduct single-trade inspections virtually.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**The Florida Building Code**

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida’s minimum standards were met. Local governments could choose from four separate model codes. The state’s role was limited to

adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.<sup>1</sup>

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew easily destroyed those structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study's commission recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Building Code), and that first edition replaced all local codes on March 1, 2002.<sup>2</sup> The current edition of the Building Code is the seventh edition, which is referred to as the 2020 Florida Building Code.<sup>3</sup>

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.<sup>4</sup>

The Florida Building Commission (Commission) was statutorily created to implement the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The Commission reviews several International Codes published by the International Code Council,<sup>5</sup> the National Electric Code, and other nationally adopted model codes to determine if the Building Code needs to be updated and adopts an updated Building Code every three years.<sup>6</sup>

### **Private Providers Alternative Plans Review and Inspection**

In 2002, s. 553.791, F.S., was created to allow property owners and contractors to hire licensed building code officials, engineers, and architects, referred to as private providers, to review building plans, perform building inspections, and prepare certificates of completion.

"Private provider" means a person licensed as a building official, engineer, or as an architect. Licensed building inspectors and plans examiners may perform inspections for additions and alterations that are limited to 1,000 square feet or less in residential buildings.<sup>7</sup>

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<sup>1</sup> The Florida Building Commission Report to the 2006 Legislature, *Florida Department of Community Affairs*, p. 4, [http://www.floridabuilding.org/fbc/publications/2006\\_Legislature\\_Rpt\\_rev2.pdf](http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf) (last visited Mar. 11, 2025).

<sup>2</sup> *Id.*

<sup>3</sup> Florida Building Commission Homepage, <https://floridabuilding.org/c/default.aspx> (last visited Mar. 11, 2025).

<sup>4</sup> *See* s. 553.72(1), F.S.

<sup>5</sup> The International Code Council (ICC) is an association that develops model codes and standards used in the design, building, and compliance process to "construct safe, sustainable, affordable and resilient structures." International Code Council, *About the ICC*, <https://www.iccsafe.org/about/who-we-are/> (last visited Mar. 11, 2025).

<sup>6</sup> Section 553.73(7)(a), F.S.

<sup>7</sup> Section 553.791(1)(n) and (3), F.S.

Private providers and their duly authorized representatives<sup>8</sup> are able to approve building plans and perform building code inspections, including single-trade inspections, as long as the plans approval and building inspections are within the scope of the provider's or representative's license. "Single-trade inspection" is defined as:

"...any inspection focused on a single construction trade, such as plumbing, mechanical, or electrical. The term includes, but is not limited to, inspections of door or window replacements; fences and block walls more than 6 feet high from the top of the wall to the bottom of the footing; stucco or plastering; reroofing with no structural alteration; HVAC replacements; ductwork or fan replacements; alteration or installation of wiring, lighting, and service panels; water heater changeouts; sink replacements; and repiping."<sup>9</sup>

A local government may establish, for private providers and duly authorized representatives working within the local government's jurisdiction, a system of registration to verify compliance with the license and insurance requirements for private providers.<sup>10</sup>

If an owner or contractor opts to use a private provider for purposes of plans review or building inspection services, the local government must calculate the cost savings to its building department and reduce the building permit fees accordingly.<sup>11</sup> Additionally, a local government may not charge a fee for building inspections when an owner or contractor uses a private provider but may charge a reasonable administrative fee for the clerical and supervisory assistance required.<sup>12</sup>

Current law specifies a process for an owner or contractor to notify the local government that a private provider has been contracted to perform building code inspection services, including single-trade inspections. Such notice must be provided in writing at the time of permit application, or by 2 p.m., two business days before the first scheduled inspection by the local building official.<sup>13</sup>

After construction has commenced, and if the local building official is unable to provide inspection services in a timely manner, the owner or contractor may elect to use a private provider to provide inspection services by notifying the local building official by 2 p.m., two days before the next schedule inspection.<sup>14</sup>

A private provider performing required inspections must inspect each phase of construction as required by the applicable codes, and such inspection may be performed in-person or virtually.<sup>15</sup>

---

<sup>8</sup> "Duly authorized representative" means an employee of a private provider identified in a permit application who reviews plans or performs inspections, and is licensed as an engineer, architect, building official, inspector, or plans examiner. Section 553.791(1)(f), F.S.

<sup>9</sup> Section 553.791(1)(q), F.S.

<sup>10</sup> Section 553.791(16)(b), F.S.

<sup>11</sup> "Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services." Section 553.791(2)(b), F.S.

<sup>12</sup> Section 553.791(2)(b), F.S.

<sup>13</sup> Section 553.791(4), F.S.

<sup>14</sup> Section 553.791(5), F.S.

<sup>15</sup> Section 553.791(8), F.S.

For plans review, a private provider must review the plans<sup>16</sup> to determine compliance with the applicable codes<sup>17</sup> and prepare an affidavit<sup>18</sup> certifying, under oath, that the plans are in compliance and the private provider is duly authorized to perform plans review.<sup>19</sup>

Upon receipt of a building permit application and the required affidavit from the private provider, a building official has 20 business days to issue the permit or provide written notice of the plan deficiencies.<sup>20</sup> If the local building official does not provide written notice of plan deficiencies within the prescribed 20-day period, the permit application shall be deemed approved and shall be issued on the next business day.<sup>21</sup> If the building official provides a written notice of plan deficiencies, the 20-day period is tolled pending resolution of the matter.<sup>22</sup> The law further specifies the process for a private provider to correct the deficiencies and also allows the permit applicant to dispute the deficiencies.

### III. Effect of Proposed Changes:

The bill amends s. 553.791, F.S., to allow private providers to perform “single-trade plans review,” an analogous concept to the existing single-trade inspections provided for in current law. Such single-trade plans review may be conducted using an automated or software-based plans review system to determine compliance with applicable codes, provided that the provider specifies in the required affidavit any such system used. Additionally, where the local building official must issue a permit within 20 business days after receipt of an application and private provider affidavit, the bill requires action within 5 business days if the permit application is related to single-trade plans review for single-family or two-family dwellings.

The bill also expands the universe of valid trade work for which private providers can perform inspections, and now plans review, to include solar energy and energy storage installations or alterations.

Finally, the bill specifically allows private providers to perform single-trade inspections virtually and requires the notice to the building official pursuant to s. 553.791(5), F.S., include whether inspections will be conducted virtually or in person.

The bill reenacts various statutes for the purpose of incorporation.

The bill takes effect July 1, 2025.

---

<sup>16</sup> “Plans” means building plans, site engineering plans, or site plans, or their functional equivalent, submitted by a fee owner or fee owner’s contractor to a private provider or duly authorized representative for review. Section 553.791(1)(m), F.S.

<sup>17</sup> “Applicable codes” means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and firesafety codes adopted pursuant to ch. 633, F.S. Section 553.791(1)(a), F.S.

<sup>18</sup> The affidavit may bear a written or electronic signature and may be submitted electronically to the local building official.

<sup>19</sup> Section 553.791(6), F.S.

<sup>20</sup> Section 553.791(7)(a), F.S.

<sup>21</sup> *Id.*

<sup>22</sup> Section 553.791(7)(b), F.S.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 553.791, Florida Statutes.

This bill reenacts for incorporation sections 177.073, 468.621, 471.033, 481.225, 553.79, and 553.80 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Technical Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on March 17, 2025:**

The committee substitute addresses a technical error on line 83, specifying a reference to permit applications.

- B. **Amendments:**

None.



737696

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2025	.	
	.	
	.	
	.	

---

The Committee on Community Affairs (Calatayud) recommended the following:

**Senate Amendment**

Delete line 83  
and insert:  
such permit application and affidavit, the local building  
official shall

By Senator Calatayud

38-01472-25

20251134\_\_

1                   A bill to be entitled  
2           An act relating to alternative plans review and  
3           inspections; amending s. 553.791, F.S.; revising and  
4           defining terms; requiring that a notice of private  
5           inspection services specify whether any scheduled  
6           inspection by a private provider will be conducted  
7           virtually or in person; authorizing a private provider  
8           to use an automated or software-based plans review  
9           system designed to make specific determinations;  
10          revising the requirements needed for an affidavit from  
11          a private provider regarding his or her plans review;  
12          requiring the local building official to issue the  
13          requested permit or provide written notice of  
14          noncompliance within a specified timeframe for permits  
15          related to single-trade plans reviews for single-  
16          family or two-family dwellings; reenacting ss.  
17          177.073(4)(a), 468.621(1)(i) and (j), 471.033(1)(l),  
18          481.225(1)(l), 553.79(11), and 553.80(7)(a), F.S.,  
19          relating to expedited approval of residential building  
20          permits before a final plat is recorded; disciplinary  
21          proceedings; disciplinary proceedings; disciplinary  
22          proceedings against registered architects; permits,  
23          applications, issuance, and inspections; and  
24          enforcement, respectively, to incorporate the  
25          amendment made to s. 553.791, F.S., in references  
26          thereto; providing an effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
29

38-01472-25

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30 Section 1. Paragraph (q) of subsection (1), subsections (5)  
31 and (6), paragraphs (a), (b), and (c) of subsection (7), and  
32 subsection (8) of section 553.791, Florida Statutes, are amended  
33 to read:

34 553.791 Alternative plans review and inspection.—

35 (1) As used in this section, the term:

36 (q) "Single-trade inspection" or "single-trade plans  
37 review" means any inspection or plans review focused on a single  
38 construction trade, such as plumbing, mechanical, or electrical.  
39 The term includes, but is not limited to, inspections and plans  
40 reviews of door or window replacements; fences and block walls  
41 more than 6 feet high from the top of the wall to the bottom of  
42 the footing; stucco or plastering; reroofing with no structural  
43 alteration; HVAC replacements; ductwork or fan replacements;  
44 solar energy and energy storage installations or alterations;  
45 alteration or installation of wiring, lighting, and service  
46 panels; water heater changeouts; sink replacements; and  
47 repiping.

48 (5) After construction has commenced and if the local  
49 building official is unable to provide inspection services in a  
50 timely manner, the fee owner or the fee owner's contractor may  
51 elect to use a private provider to provide inspection services  
52 by notifying the local building official of the owner's or  
53 contractor's intention to do so by 2 p.m. local time, 2 business  
54 days before the next scheduled inspection using the notice  
55 provided for in paragraphs (4) (a)-(c). Such notice must specify  
56 whether any scheduled inspection will be conducted virtually or  
57 in person as provided in subsection (8).

58 (6) A private provider performing plans review under this

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59 section shall review the plans to determine compliance with the  
60 applicable codes. For single-trade plans review, a private  
61 provider may use an automated or software-based plans review  
62 system designed to determine compliance with one or more  
63 applicable codes, such as the National Electrical Code. Upon  
64 determining that the plans reviewed comply with the applicable  
65 codes, the private provider shall prepare an affidavit or  
66 affidavits certifying, under oath, that the following is true  
67 and correct to the best of the private provider's knowledge and  
68 belief:

69 (a) The plans were reviewed by the affiant, who is duly  
70 authorized to perform plans review pursuant to this section and  
71 holds the appropriate license or certificate. The affiant must  
72 specify any automated or software-based plans review system used  
73 for such review.

74 (b) The plans comply with the applicable codes.

75  
76 Such affidavit may bear a written or electronic signature and  
77 may be submitted electronically to the local building official.

78 (7) (a) No more than 20 business days after receipt of a  
79 permit application and the affidavit from the private provider  
80 required pursuant to subsection (6), or if the permit is related  
81 to single-trade plans review for single-family or two-family  
82 dwelling, then no more than 5 business days after receipt of  
83 such permit and affidavit, the local building official shall  
84 issue the requested permit or provide a written notice to the  
85 permit applicant identifying the specific plan features that do  
86 not comply with the applicable codes, as well as the specific  
87 code chapters and sections. If the local building official does

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20251134\_\_

88 not provide a written notice of the plan deficiencies within the  
89 prescribed 20-day period, the permit application shall be deemed  
90 approved as a matter of law, and the permit shall be issued by  
91 the local building official on the next business day.

92 (b) If the local building official provides a written  
93 notice of plan deficiencies to the permit applicant within the  
94 prescribed 20-day or 5-day period, the ~~20-day~~ period is ~~shall be~~  
95 tolled pending resolution of the matter. To resolve the plan  
96 deficiencies, the permit applicant may elect to dispute the  
97 deficiencies pursuant to subsection (15) or to submit revisions  
98 to correct the deficiencies.

99 (c) If the permit applicant submits revisions, the local  
100 building official has the remainder of the tolled ~~20-day~~ period  
101 plus 5 business days from the date of resubmittal to issue the  
102 requested permit or to provide a second written notice to the  
103 permit applicant stating which of the previously identified plan  
104 features remain in noncompliance with the applicable codes, with  
105 specific reference to the relevant code chapters and sections.  
106 Any subsequent review by the local building official is limited  
107 to the deficiencies cited in the written notice. If the local  
108 building official does not provide the second written notice  
109 within the prescribed time period, the permit shall be deemed  
110 approved as a matter of law, and the local building official  
111 must issue the permit on the next business day.

112 (8) A private provider performing required inspections  
113 under this section shall inspect each phase of construction as  
114 required by the applicable codes. Such inspection may be  
115 performed in person ~~in-person~~ or virtually, including single-  
116 trade inspections. The private provider may have a duly

38-01472-25

20251134\_\_

117 authorized representative perform the required inspections,  
118 provided all required reports are prepared by and bear the  
119 written or electronic signature of the private provider or the  
120 private provider's duly authorized representative. The duly  
121 authorized representative must be an employee of the private  
122 provider entitled to receive reemployment assistance benefits  
123 under chapter 443. The contractor's contractual or legal  
124 obligations are not relieved by any action of the private  
125 provider.

126 Section 2. For the purpose of incorporating the amendment  
127 made by this act to section 553.791, Florida Statutes, in a  
128 reference thereto, paragraph (a) of subsection (4) of section  
129 177.073, Florida Statutes, is reenacted to read:

130 177.073 Expedited approval of residential building permits  
131 before a final plat is recorded.—

132 (4) (a) An applicant may use a private provider pursuant to  
133 s. 553.791 to expedite the application process for building  
134 permits after a preliminary plat is approved under this section.

135 Section 3. For the purpose of incorporating the amendment  
136 made by this act to section 553.791, Florida Statutes, in  
137 references thereto, paragraphs (i) and (j) of subsection (1) of  
138 section 468.621, Florida Statutes, are reenacted to read:

139 468.621 Disciplinary proceedings.—

140 (1) The following acts constitute grounds for which the  
141 disciplinary actions in subsection (2) may be taken:

142 (i) Failing to lawfully execute the duties and  
143 responsibilities specified in this part and ss. 553.73, 553.781,  
144 553.79, and 553.791.

145 (j) Performing building code inspection services under s.

38-01472-25

20251134\_\_

146 553.791 without satisfying the insurance requirements of that  
147 section.

148 Section 4. For the purpose of incorporating the amendment  
149 made by this act to section 553.791, Florida Statutes, in a  
150 reference thereto, paragraph (1) of subsection (1) of section  
151 471.033, Florida Statutes, is reenacted to read:

152 471.033 Disciplinary proceedings.—

153 (1) The following acts constitute grounds for which the  
154 disciplinary actions in subsection (3) may be taken:

155 (1) Performing building code inspection services under s.  
156 553.791, without satisfying the insurance requirements of that  
157 section.

158 Section 5. For the purpose of incorporating the amendment  
159 made by this act to section 553.791, Florida Statutes, in a  
160 reference thereto, paragraph (1) of subsection (1) of section  
161 481.225, Florida Statutes, is reenacted to read:

162 481.225 Disciplinary proceedings against registered  
163 architects.—

164 (1) The following acts constitute grounds for which the  
165 disciplinary actions in subsection (3) may be taken:

166 (1) Performing building code inspection services under s.  
167 553.791, without satisfying the insurance requirements of that  
168 section.

169 Section 6. For the purpose of incorporating the amendment  
170 made by this act to section 553.791, Florida Statutes, in a  
171 reference thereto, subsection (11) of section 553.79, Florida  
172 Statutes, is reenacted to read:

173 553.79 Permits; applications; issuance; inspections.—

174 (11) Any state agency whose enabling legislation authorizes

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175 it to enforce provisions of the Florida Building Code may enter  
176 into an agreement with any other unit of government to delegate  
177 its responsibility to enforce those provisions and may expend  
178 public funds for permit and inspection fees, which fees may be  
179 no greater than the fees charged others. Inspection services  
180 that are not required to be performed by a state agency under a  
181 federal delegation of responsibility or by a state agency under  
182 the Florida Building Code must be performed under the  
183 alternative plans review and inspection process created in s.  
184 553.791 or by a local governmental entity having authority to  
185 enforce the Florida Building Code.

186 Section 7. For the purpose of incorporating the amendment  
187 made by this act to section 553.791, Florida Statutes, in a  
188 reference thereto, paragraph (a) of subsection (7) of section  
189 553.80, Florida Statutes, is reenacted to read:

190 553.80 Enforcement.—

191 (7) (a) The governing bodies of local governments may  
192 provide a schedule of reasonable fees, as authorized by s.  
193 125.56(2) or s. 166.222 and this section, for enforcing this  
194 part. These fees, and any fines or investment earnings related  
195 to the fees, may only be used for carrying out the local  
196 government's responsibilities in enforcing the Florida Building  
197 Code. When providing a schedule of reasonable fees, the total  
198 estimated annual revenue derived from fees, and the fines and  
199 investment earnings related to the fees, may not exceed the  
200 total estimated annual costs of allowable activities. Any  
201 unexpended balances must be carried forward to future years for  
202 allowable activities or must be refunded at the discretion of  
203 the local government. A local government may not carry forward

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204 an amount exceeding the average of its operating budget for  
205 enforcing the Florida Building Code for the previous 4 fiscal  
206 years. For purposes of this subsection, the term "operating  
207 budget" does not include reserve amounts. Any amount exceeding  
208 this limit must be used as authorized in subparagraph 2.  
209 However, a local government that established, as of January 1,  
210 2019, a Building Inspections Fund Advisory Board consisting of  
211 five members from the construction stakeholder community and  
212 carries an unexpended balance in excess of the average of its  
213 operating budget for the previous 4 fiscal years may continue to  
214 carry such excess funds forward upon the recommendation of the  
215 advisory board. The basis for a fee structure for allowable  
216 activities must relate to the level of service provided by the  
217 local government and must include consideration for refunding  
218 fees due to reduced services based on services provided as  
219 prescribed by s. 553.791, but not provided by the local  
220 government. Fees charged must be consistently applied.

221 1. As used in this subsection, the phrase "enforcing the  
222 Florida Building Code" includes the direct costs and reasonable  
223 indirect costs associated with review of building plans,  
224 building inspections, reinspections, and building permit  
225 processing; building code enforcement; and fire inspections  
226 associated with new construction. The phrase may also include  
227 training costs associated with the enforcement of the Florida  
228 Building Code and enforcement action pertaining to unlicensed  
229 contractor activity to the extent not funded by other user fees.

230 2. A local government must use any excess funds that it is  
231 prohibited from carrying forward to rebate and reduce fees, to  
232 upgrade technology hardware and software systems to enhance

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233 service delivery, to pay for the construction of a building or  
234 structure that houses a local government's building code  
235 enforcement agency, or for training programs for building  
236 officials, inspectors, or plans examiners associated with the  
237 enforcement of the Florida Building Code. Excess funds used to  
238 construct such a building or structure must be designated for  
239 such purpose by the local government and may not be carried  
240 forward for more than 4 consecutive years. An owner or builder  
241 who has a valid building permit issued by a local government for  
242 a fee, or an association of owners or builders located in the  
243 state that has members with valid building permits issued by a  
244 local government for a fee, may bring a civil action against the  
245 local government that issued the permit for a fee to enforce  
246 this subparagraph.

247 3. The following activities may not be funded with fees  
248 adopted for enforcing the Florida Building Code:

249 a. Planning and zoning or other general government  
250 activities.

251 b. Inspections of public buildings for a reduced fee or no  
252 fee.

253 c. Public information requests, community functions,  
254 boards, and any program not directly related to enforcement of  
255 the Florida Building Code.

256 d. Enforcement and implementation of any other local  
257 ordinance, excluding validly adopted local amendments to the  
258 Florida Building Code and excluding any local ordinance directly  
259 related to enforcing the Florida Building Code as defined in  
260 subparagraph 1.

261 4. A local government must use recognized management,

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262 accounting, and oversight practices to ensure that fees, fines,  
263 and investment earnings generated under this subsection are  
264 maintained and allocated or used solely for the purposes  
265 described in subparagraph 1.

266 5. The local enforcement agency, independent district, or  
267 special district may not require at any time, including at the  
268 time of application for a permit, the payment of any additional  
269 fees, charges, or expenses associated with:

- 270 a. Providing proof of licensure under chapter 489;  
271 b. Recording or filing a license issued under this chapter;  
272 c. Providing, recording, or filing evidence of workers'  
273 compensation insurance coverage as required by chapter 440; or  
274 d. Charging surcharges or other similar fees not directly  
275 related to enforcing the Florida Building Code.

276 Section 8. This act shall take effect July 1, 2025.



The Florida Senate

## Committee Agenda Request

**To:** Senator Stan McClain, Chair  
Committee on Community Affairs

**Subject:** Committee Agenda Request

**Date:** March 3, 2025

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I respectfully request that **Senate Bill #1134**, relating to Alternative Plans Review and Inspections, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "Alexis Calatayud".

---

Senator Alexis Calatayud  
Florida Senate, District 38

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-17-25

Meeting Date

1134

Bill Number or Topic

Community Affairs

Committee

none

Amendment Barcode (if applicable)

Name Dan Sinclair

Phone 850 860 7856

Address 429 S. Tyndall Parkway Sem

Email dan@sinclairconstruction.com

Street

Panama City

City

FL

State

32404

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: SB 1188

INTRODUCER: Senator McClain

SUBJECT: Local Governing Authorities

DATE: March 14, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	<b>Favorable</b>
2.	_____	_____	TR	_____
3.	_____	_____	RC	_____

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**I. Summary:**

SB 1188 amends various statutes related to concurrency and charter schools. The bill:

- Provides that the construction of public facilities, to include public schools, must be exempt from concurrency;
- Provides a fee credit for education impact fees to a developer who enters into a contract with a school to provide nearby improvements or contributions;
- Prohibits counties and municipalities from imposing or enforcing a vehicular stacking ordinance or regulation at any public or private school if the effect of the ordinance or regulation would limit enrollment;
- prohibits local government from enforcing any local building requirements or site-development restrictions on charter schools that are more stringent than those found in the State Requirements for Education Facilities of the Florida Building Code; and
- prohibits a local government from requiring a charter school to obtain a special exemption or conditional use approval to be an allowable use under the local government’s land development code.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Charter Schools**

All charter schools in Florida are tuition-free public schools within the state’s public education system.<sup>1</sup> One of the guiding principles of charter schools is to “meet high standards of student achievement while providing parents flexibility to choose among diverse educational

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<sup>1</sup> Section 1002.33(1), F.S.

opportunities within the state’s public school system.”<sup>2</sup> Charter schools operate under a performance contract with a sponsor.<sup>3</sup> This performance contract is known as a “charter.”<sup>4</sup>

Charter school facilities, except for conversion charter schools,<sup>5</sup> are not required to comply the State Requirements for Educational Facilities of the Florida Building Code (SREF).<sup>6</sup> Instead, charter schools are subject to the general provisions of the Florida Building Code, including any amendments adopted by local governments.<sup>7</sup> Local governments are prohibited, however, from adopting or imposing any local building requirements or site- development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are more stringent than the SREF if those matters are addressed therein.<sup>8</sup> Local governments are required to treat charter schools equitably in requirements imposed upon traditional public schools, including any requirements entered into via interlocal agreement.

Charter schools may not be subject to any land use regulation requiring a comprehensive plan amendment, development order, or development permit that would not be required for a public school in the same location.<sup>9</sup> A variety of facilities may provide space within their facilities to charter schools.<sup>10</sup> Charter schools may be housed in certain types of facilities under the existing zoning and land use designations for those facilities without the need to obtain a special exception, rezoning, or a land use change.<sup>11</sup>

### **Concurrency**

“Concurrency” is a phrase referring to a set of land use regulations requiring local governments to ensure that new development does not outstrip a local government’s ability to provide necessary services. Developments meet concurrency requirements when the local government has the infrastructure capacity to serve the new growth.

In essence, a concurrency requirement is a law stating that certain infrastructure must be in place and available to serve new development before the local government may allow new citizens to live in the new development.<sup>12</sup> For example, before a local government can approve a building permit to allow a new development, it must consult with its water suppliers to ensure adequate supplies to serve the new development will be available by the time citizens can move in.<sup>13</sup> Certain services are subject to concurrency statewide (sanitary sewer, solid waste, drainage, and

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<sup>2</sup> Section 1002.33(2)(a)1., F.S.

<sup>3</sup> Sections 1002.33(1), (7), and (9)(a), F.S.

<sup>4</sup> Sections 1002.33(7) and (9)(c), F.S.

<sup>5</sup> Conversion charter schools are charter schools formed by a process that converts an existing traditional public school. Section 1002.33(3)(b), F.S.

<sup>6</sup> Section 1002.33(18)(a), F.S.

<sup>7</sup> See s. 553.73, F.S.

<sup>8</sup> Section 1002.33(18)(a), F.S.

<sup>9</sup> *Id.*

<sup>10</sup> Section 1002.33(18)(c), F.S. Those facilities include any library, community service, museum, performing arts, theater, cinema, or church facility; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities; and any facility recently used to house a school or child care facility licensed under s. 402.305, F.S.

<sup>11</sup> Section 1002.33(18)(c), F.S.

<sup>12</sup> Section 163.3180(2), F.S.

<sup>13</sup> *Id.*

potable water) while other services, such as public transportation or schools, may optionally be subjected to concurrency by a local government.<sup>14</sup>

### **School Concurrency**

The Legislature prescribes the methods and regulations controlling when public school concurrency is imposed by a local government.<sup>15</sup> Local governments must include principles, guidelines, standards, strategies, and acceptable levels of service based on data in their comprehensive plans<sup>16</sup> and school-related interlocal agreements.<sup>17</sup> Local governments and school boards work in conjunction to determine whether adequate school capacity will be available to accommodate the development.

School concurrency requires a local government to deny an application for new residential development if adequate school capacity will not be available or under construction within three years of approving the application.<sup>18</sup> Typically the level of service required to be maintained is expressed in terms of student capacity (the maximum number of students a facility is designed to accommodate), student stations (the area necessary for a student to engage in learning), gross square footage of facilities, and facility utilization, versus the total number of students in a district or designated area.<sup>19</sup> Level of service can be separated into tiers of acceptability, as well as divided between different types of school- elementary, middle, high, and special purpose being the typical divisions.<sup>20</sup>

### **Vehicular Stacking**

Each local government is required to ensure safe and convenient onsite traffic flow and necessary vehicle parking as part of their land development regulations.<sup>21</sup> One common type of regulation is adoption of rules concerning vehicular stacking.<sup>22</sup> These ordinances require drive-through facilities to provide specified lanes for drive-through use and bypass lanes to allow other vehicles to enter or exit the facility without the need to turn around. The ordinances also establish a minimum length for drive-through lanes.<sup>23</sup> In some jurisdictions, daycare centers and schools are considered drive-through facilities subject to these requirements, with the minimum length established as a ratio of feet per student enrolled.<sup>24</sup>

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<sup>14</sup> Section 163.3180(1), F.S.

<sup>15</sup> Section 163.3180(6), F.S.

<sup>16</sup> Local government comprehensive plans provide the policy foundation for local planning and land use decisions on capital improvements, conservation, intergovernmental coordination, recreation, open space, future land use, housing, transportation, coastal management (where applicable) and public facilities.

<sup>17</sup> Section 613.3180(6)(a), F.S.

<sup>18</sup> Section 613.3180(h), F.S.

<sup>19</sup> See, e.g., Florida Planning and Development Lab at Florida State University, *Recommendations for Implementing School Concurrency*, Dec. 2007, available at <https://fpdl.coss.fsu.edu/sites/g/files/imported/storage/original/application/90a0cefe399a0d8424ca33f8e03d1bf5.pdf> (last visited Mar. 13, 2025).

<sup>20</sup> Section 163.3180(6)(c), F.S.

<sup>21</sup> Section 163.3202(2)(h), F.S.

<sup>22</sup> See e.g. City of Dania Beach, Code of Ordinances, s. 265-30, City of Dunedin, Land Development Code, S. 105-24.6, City of Pinellas Park, Land Development Code, S. 18-1532.7.

<sup>23</sup> See e.g. City of Dunedin, Land Development Code, S. 105-24.6.

<sup>24</sup> City of Dunedin, Land Development Code, S. 105-24.6.

### Local Government Impact Fees

In Florida, impact fees are imposed pursuant to local legislation and are generally charged as a condition for the issuance of a project's building permit. The principle behind the imposition of impact fees is to transfer to new users of a government-owned system a fair share of the costs the new use of the system involves.<sup>25</sup> Impact fees have become an accepted method of paying for public improvements that must be constructed to serve new growth.<sup>26</sup> In order for an impact fee to be a constitutional user fee and not an unconstitutional tax, the fee must meet a dual rational nexus test, in that the local government must demonstrate the impact fee is proportional and reasonably connected to, or has a rational nexus with:

- The need for additional capital facilities and the increased impact generated by the new residential or commercial construction; and
- The expenditure of the funds collected and the benefits accruing to the new residential or nonresidential construction.<sup>27</sup>

Impact fee calculations vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources, and the local government's determination to charge the full cost or only part of the cost of the infrastructure improvement through utilization of the impact fee.

Local governments must credit against impact fee collections any contribution related to public facilities or infrastructure on a dollar-for-dollar basis at fair market value for the general category or class of public facilities or infrastructure for which the contribution was made. If no impact fee is collected for that category of public facility or infrastructure for which the contribution is made, no credit may be applied.<sup>28</sup> Credits for impact fees may be assigned or transferred at any time once established, from one development or parcel to another within the same impact fee zone or district or within an adjoining impact fee zone or district within the same local government jurisdiction.<sup>29</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 163.3180, F.S., to provide that the construction of public facilities, to include public schools, must be exempt from concurrency. A local government may grant a construction project at a charter school an exemption from concurrency.

**Section 2** amends s. 163.31801, F.S., to provide a fee credit for education impact fees to a developer who enters into a contract with a school district or charter school to provide an improvement or contribution within a three-mile radius of the development. The developer's contribution may include monetary contributions, land dedications, site planning and design, or construction and must be credited dollar-for-dollar at fair amount value. The bill requires the

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<sup>25</sup> *Contractors & Builders Ass'n of Pinellas County v. City of Dunedin*, 329 So. 2d 314, 317-318 (Fla. 1976).

<sup>26</sup> *St. Johns County v. Ne. Florida Builders Ass'n, Inc.*, 583 So. 2d 635, 638 (Fla. 1991); s. 163.31801(2), F.S.

<sup>27</sup> See *St. Johns County* at 637. Codified at s. 163.31801(3)(f) and (g), F.S.

<sup>28</sup> Section 163.31801(5), F.S.

<sup>29</sup> Section 163.31801(10), F.S.

local government or special district charging and collecting the education impact fee to approve the credit.

**Section 3** amends s. 316.008, F.S., to prohibit counties and municipalities from imposing or enforcing a vehicular stacking ordinance or regulation at any public or private school during adopted school hours, including student pick-up and drop-off times, if the effect of the ordinance or regulation would limit enrollment.

**Section 4** amends s. 1002.33, F.S., to prohibit local government from enforcing any local building requirements or site-development restrictions on charter schools that are more stringent than those found in the State Requirements for Education Facilities of the Florida Building Code.

The section also prohibits a local government from requiring a charter school to obtain a special exemption or conditional use approval to be an allowable use under the local government's land development code.

**Section 5** provides that the bill takes effect on July 1, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 163.3180, 163.31801, 316.008, and 1002.33.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator McClain

9-01175-25

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1                   A bill to be entitled  
2           An act relating to local governing authorities;  
3           amending s. 163.3180, F.S.; providing that certain  
4           construction projects are exempt from concurrency;  
5           authorizing a local government to grant a construction  
6           project at a charter school an exemption from  
7           concurrency; amending s. 163.31801, F.S.; providing a  
8           method for a developer to provide a certain  
9           contribution in lieu of paying an education impact  
10          fee; providing requirements for the contribution;  
11          amending s. 316.008, F.S.; prohibiting local governing  
12          authorities from imposing or enforcing certain  
13          vehicular stacking ordinances against a public school  
14          or private school during certain hours; amending s.  
15          1002.33, F.S.; restricting building requirements that  
16          may be imposed by a local governing authority against  
17          a startup charter school; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21           Section 1. Paragraph (c) is added to subsection (1) of  
22           section 163.3180, Florida Statutes, to read:

23           163.3180 Concurrency.—

24           (1) Sanitary sewer, solid waste, drainage, and potable  
25           water are the only public facilities and services subject to the  
26           concurrency requirement on a statewide basis. Additional public  
27           facilities and services may not be made subject to concurrency  
28           on a statewide basis without approval by the Legislature;  
29           however, any local government may extend the concurrency

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30 requirement so that it applies to additional public facilities  
31 within its jurisdiction.

32 (c) Construction projects of public facilities, as defined  
33 in s. 163.3164, which are necessary to ensure the protection of  
34 the health, safety, and general welfare must be exempt from  
35 concurrency. Construction projects on public school grounds are  
36 included for the purposes of this paragraph, as public schools  
37 provide a public good. A local government may grant a  
38 construction project at a charter school an exemption from  
39 concurrency.

40 Section 2. Paragraph (c) is added to subsection (5) of  
41 section 163.31801, Florida Statutes, to read:

42 163.31801 Impact fees; short title; intent; minimum  
43 requirements; audits; challenges.-

44 (5)

45 (c) If a local government or special district charges and  
46 collects an education impact fee, a developer may contract with  
47 a school district or charter school to provide an improvement or  
48 a contribution, such as a monetary contribution, land  
49 dedication, site and planning design, or construction, which  
50 must be credited against the collection of the education impact  
51 fee at fair market value. The public school benefitting from the  
52 improvement or contribution must be within a 3-mile radius of  
53 the development. Credits must be approved by the local  
54 government or special district.

55 Section 3. Paragraph (d) is added to subsection (9) of  
56 section 316.008, Florida Statutes, to read:

57 316.008 Powers of local authorities.-

58 (9)

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59        (d) Local governing authorities may not impose or enforce  
60 any vehicular stacking ordinance or regulation against any  
61 public school or private school during adopted school hours,  
62 including during student drop-off and pick-up hours, in a manner  
63 that would limit enrollment.

64        Section 4. Paragraph (a) of subsection (18) of section  
65 1002.33, Florida Statutes, is amended to read:

66        1002.33 Charter schools.—

67        (18) FACILITIES.—

68        (a) A startup charter school shall utilize facilities which  
69 comply with the Florida Building Code pursuant to chapter 553  
70 except for the State Requirements for Educational Facilities.  
71 Conversion charter schools shall utilize facilities that comply  
72 with the State Requirements for Educational Facilities provided  
73 that the school district and the charter school have entered  
74 into a mutual management plan for the reasonable maintenance of  
75 such facilities. The mutual management plan shall contain a  
76 provision by which the district school board agrees to maintain  
77 charter school facilities in the same manner as its other public  
78 schools within the district. Charter schools, with the exception  
79 of conversion charter schools, are not required to comply, but  
80 may choose to comply, with the State Requirements for  
81 Educational Facilities of the Florida Building Code adopted  
82 pursuant to s. 1013.37. The local governing authority may ~~shall~~  
83 not adopt, or impose, or enforce any local building requirements  
84 or site-development restrictions that impact, ~~such as~~ parking  
85 and site-size criteria, student enrollment and capacity, and  
86 occupant load and, that are addressed by and more stringent than  
87 those found in the State Requirements for Educational Facilities

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88 of the Florida Building Code and the Florida Fire Prevention  
89 Code. A local governing authority may not require a proposed  
90 charter school to obtain special exception or conditional use  
91 approval in order to be an allowable use under the local  
92 governing authority's land development code. A local governing  
93 authority must treat charter schools equitably in comparison to  
94 similar requirements, restrictions, and site planning processes  
95 imposed upon public schools that are not charter schools,  
96 including such provisions that are established by interlocal  
97 agreement. An interlocal agreement entered into by a school  
98 district for the development of only its own schools, including  
99 provisions relating to the extension of infrastructure, may be  
100 used by charter schools. A charter school may not be subject to  
101 any land use regulation requiring a change to a local government  
102 comprehensive plan or requiring a development order or  
103 development permit, as those terms are defined in s. 163.3164,  
104 that would not be required for a public school in the same  
105 location. The agency having jurisdiction for inspection of a  
106 facility and issuance of a certificate of occupancy or use shall  
107 be the local municipality or, if in an unincorporated area, the  
108 county governing authority. If an official or employee of the  
109 local governing authority refuses to comply with this paragraph,  
110 the aggrieved school or entity has an immediate right to bring  
111 an action in circuit court to enforce its rights by injunction.  
112 An aggrieved party that receives injunctive relief may be  
113 awarded attorney fees and court costs.

114 Section 5. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/17/2025

Meeting Date

SB 1188

Bill Number or Topic

Community Affairs

Committee

Amendment Barcode (if applicable)

Name Yenisbel Vilario Phone

Address Street Email

City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

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[x] I am a registered lobbyist, representing:

Six Action

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

---

BILL: SB 1260

INTRODUCER: Senator Yarborough

SUBJECT: County Constitutional Officer Budget Processes

DATE: March 14, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	<b>Favorable</b>
2.	_____	_____	GO	_____
3.	_____	_____	FP	_____

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**I. Summary:**

SB 1260 creates a process for a clerk of the circuit court or supervisor of elections to appeal his or her budget to the Administration Commission in the same manner currently provided for sheriff budgets. The bill also revises the budget submission process for the clerk of circuit court to clarify that the board of county commissioners may require the clerk to correct errors in the budget and that the board may amend the budget as part of the county budgeting process.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**County Constitutional Officers**

The Florida Constitution provides that each county in the state must have five county officers: the sheriff, tax collector, property appraiser, supervisor of elections, and the clerk of the circuit court.<sup>1</sup> Each of the officers is elected for a four-year term. A county charter may not abolish the offices, transfer their duties to another officer or office, or establish a method of selecting the officer other than election by the electors of the county. The clerk of the circuit court also serves as the ex officio clerk of the board of county commissioners (board), auditor, recorder and custodian of all county funds, unless those duties have been assigned elsewhere by a special act approved by the electors of the county or as provided in Article V, section 16 of the Florida Constitution.<sup>2</sup>

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<sup>1</sup> Art. VIII, s.1(d), FLA. CONST.

<sup>2</sup> A person exercising these powers is commonly referred to as a comptroller. *See* Florida Court Clerks & Comptrollers, *Role of the Clerk and Comptroller*, <https://www.flclerks.com/page/RoleoftheClerk> (last visited Mar. 13, 2025). The only county that currently separates the functions of these offices is Orange County. *See* ch. 72-461, Laws of Fla. (creating the office of Orange County Comptroller).

## Administration Commission

The Administration Commission is a part of the Executive Office of the Governor (EOG) that is composed of the Governor and the Cabinet.<sup>3</sup> The Governor serves as chair of the commission and a meeting of the commission may be called by the Governor or Chief Financial Officer. Any action taken by the commission requires the approval of the Governor and at least two other members of the commission. Among other functions, the commission is responsible for resolving sheriff and property appraiser budget appeal disputes.<sup>4</sup>

## County Budgets

The finances of each county in the state are subject to a budget system established by general law.<sup>5</sup> Each county must prepare, approve, adopt, and execute a budget for each fiscal year.<sup>6</sup> At a minimum, the budget must show for each fund, as required by law and sound financial practices, budgeted revenues and expenditures by organizational unit that are at least as detailed as the categories required for the county's annual financial report to the Department of Financial Services (DFS).

Each county's budget must:

- Be prepared, summarized, and approved by the board.
- Not provide funding to any office, special district, or governmental unit exercising any power or authority allocated exclusively to a sheriff, tax collector, property appraiser, supervisor of elections, or clerk of the court by the Florida Constitution or general law.
- Be balanced so that the total of the estimated receipts available from taxation and other sources, including balances brought forward from prior fiscal years, equals the total of appropriations for expenditures and reserves.<sup>7</sup>
- Contain a reserve for contingencies that does not exceed 10 percent of the total appropriations and for cash balances to be carried over for the purpose of paying expenses from October 1 of the next fiscal year until the revenues for that year are expected to be available.<sup>8</sup>
- Make an appropriation for outstanding indebtedness in order to provide for the payment of vouchers that have been incurred in and charged against the budget for the current year or a prior year, but that are expected to be unpaid at the beginning of the next fiscal year.
- Provide that any surplus arising from an excess of the estimated cash balance over the estimated amount of unpaid obligations to be carried over in a fund at the end of the current fiscal year may be transferred to any of the other funds of the county, and the amount so transferred must be budgeted as a receipt to such other funds.<sup>9</sup>

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<sup>3</sup> Section 14.202, F.S.

<sup>4</sup> State of Florida, *Administration Commission: Statement of Agency Organization and Operation*, <https://www.myflorida.com/myflorida/cabinet/adcom/adcom.pdf> (last visited Mar. 13, 2025).

<sup>5</sup> See ch. 129, F.S.

<sup>6</sup> Section 129.01(1), F.S.

<sup>7</sup> Budgeted receipts must include 95 percent of all receipts reasonably anticipated from all sources, including taxes to be levied and 100 percent of the amount of the balances estimated to be brought forward at the beginning of the fiscal year. Section 129.01(2)(b), F.S.

<sup>8</sup> The cash balance reserve may not exceed 20 percent of total appropriations. Section 129.01(2)(c)2., F.S.

<sup>9</sup> Section 129.01(2), F.S.

## Preparation of County Budgets

The process of preparing a county budget begins with a certification of the county property appraiser's estimate of the total taxable value of all property in the county.<sup>10</sup> This certified amount is provided to the county budget officer and is used as the basis for estimating the millage rate and is included on each tentative and final budget.

The county budget officer is responsible for preparing a tentative budget for the fiscal year, including all estimated receipts, taxes to be levied, and balances carried forward from the previous year as well as all estimated expenditures, reserves, and balances carried over at the conclusion of the previous year.<sup>11</sup> The tentative budget includes the budgets for the sheriff, clerk of the circuit court, supervisor of elections, and certain tax collectors.<sup>12</sup>

The county budget officer submits the tentative budget to the board, who are responsible for examining the tentative budget and making changes as necessary to ensure the budget is balanced.<sup>13</sup> The board may not adjust the county budget officer's estimates of receipts, other than taxes, or of balances brought forward, without the passage of a separate resolution.

Once revisions to the tentative budget have been completed, the board prepares a statement summarizing all of the adopted tentative budgets.<sup>14</sup> The summary statement must show the proposed tax millage, balances, reserves, and total of each major classification of receipts and expenditures for each budget category and for the budget as a whole. The summary statement must be advertised one time in a newspaper of general circulation in the county. The board must conduct a public hearing to adopt the tentative and final budgets.<sup>15</sup>

## Budgets of County Constitutional Officers

Each sheriff, clerk of the circuit court, and supervisor of elections, as well as certain tax collectors, must submit their tentative budget for the following fiscal year to the board by June 1 of each year, unless the board has adopted a resolution requiring proposed budgets to be submitted by May 1.<sup>16</sup> The proposed budget submitted to the board for the sheriff, supervisor of elections, and clerk of the circuit court must be itemized in accordance with the following uniform accounting system prescribed by DFS:

- Personnel services.
- Operating expenses.
- Capital outlay.
- Debt service.
- Grants and aids.

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<sup>10</sup> Section 129.03(1), F.S.

<sup>11</sup> Section 129.03(3), F.S.

<sup>12</sup> Section 129.03(2), F.S.

<sup>13</sup> Section 129.03(3)(a), F.S.

<sup>14</sup> Section 129.03(3)(b), F.S.

<sup>15</sup> Section 129.03(3)(c), F.S.

<sup>16</sup> Section 129.03(2), F.S. The budgets of property appraisers, as well as most tax collectors, are submitted to the Department of Revenue for review and approval. Section 195.087, F.S.

- Other uses.<sup>17</sup>

In addition, the clerk of the circuit court is responsible for submitting a budget for the performance of court-related functions as provided by general law.<sup>18</sup>

The submitted budgets of the sheriff, supervisor of elections, and clerk of the circuit court must contain all relevant and pertinent information, including expenditures at the subobject code level in accordance with DFS's uniform accounting system.<sup>19</sup>

Current law authorizes the board to require the sheriff or supervisor of elections to correct any mathematical, mechanical, factual, or clerical errors and errors of form in his or her proposed budget.<sup>20</sup> When the board conducts its budget hearing, it may amend, modify, increase, or reduce any item of expenditure in the sheriff's or supervisor of election's proposed budget. The board may approve the budget as modified but must provide written notice to the sheriff or supervisor of elections of any changes.

### **Sheriff Budget Appeals Process**

Upon receiving the written notice that his or her budget has been changed by the board, a sheriff may appeal the modified budget by petition to the Administration Commission.<sup>21</sup> The petition must contain the original proposed budget, the modified budget, and the reasons for the appeal. A copy of the petition must be filed with the EOG and served upon the chair of the board or to the clerk of the circuit court.

Upon receipt of a copy of the petition, the board has five days to submit a reply.<sup>22</sup> After receiving the petition, the EOG must provide for a budget hearing to consider the matters presented in the petition.<sup>23</sup> The EOG must then compile a report of findings and recommendations to submit to the Administration Commission, which within 30 days, may approve the budget as proposed by either party or amend the budget within the limits of the proposed total expenditures. The budget as approved, amended, or modified by the Administration Commission is final.

### **III. Effect of Proposed Changes:**

The bill amends ss. 129.201 and 218.35, F.S., to create a process for the clerk of the circuit court and the supervisor of elections, respectively, to appeal changes made to their budgets. The bill allows a clerk of the circuit court or supervisor of elections, upon receiving notice from the board of county commissioners that the board has made a change in the proposed budget for the office, to file an appeal with the Administration Commission, which consists of the Governor and Cabinet. The appeal process created in the bill is the same as the sheriff budget appeals process provided in current law.

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<sup>17</sup> Sections 30.49(2)(c) (sheriffs), 129.201(2) (supervisor of elections), and 218.35(2)(b), F.S. (clerk of the circuit court as clerk of the board, county auditor, and custodian or treasurer of all county funds and for other county-related duties).

<sup>18</sup> Section 218.35(2)(a), F.S.

<sup>19</sup> Sections 30.49(3), 129.201(3), and 218.35(3), F.S.

<sup>20</sup> Sections 30.49(4) and 129.201(4), F.S.

<sup>21</sup> Section 30.49(4)(a), F.S.

<sup>22</sup> Section 30.49(4)(b), F.S.

<sup>23</sup> Section 30.49(5), F.S.

The appeal petition must set forth the proposed budget of the clerk of the circuit court or supervisor of elections, the budget as approved by the board, and the reason for the appeal. The petition must be filed with EOG, with a copy served on the board. Upon receipt of the petition, the board has five days to file a reply with EOG, with a copy served to the relevant officer.

Upon receiving the petition, the bill requires EOG to schedule a budget hearing. After the hearing, the EOG must prepare a report of findings and recommendations to submit to the Administration Commission. Within 30 days of receiving the report, the Administration Commission must approve the budget as submitted by either party or modify the budget within the limits of the proposed expenditures. The budget as approved by the Administration Commission is final.

The bill additionally revises the budget submission process for the clerk of the circuit court to clarify that the board may require the clerk of the circuit court to correct any mathematical, mechanical, factual, or clerical errors or errors of form in his or her proposed budget. The bill provides that the board may make a change in the portion of the clerk of the circuit court's proposed budget dealing with non-court-related functions and must provide written notice of such changes.

The bill takes effect on July 1, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill may result in an insignificant increase in state and local government expenditures to the extent additional resources are necessary to adjudicate any appeals of clerk of the circuit court and supervisor of elections budgets.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 129.201 and 218.35.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Yarborough

4-01786-25

20251260\_\_

1                   A bill to be entitled  
2       An act relating to county constitutional officer  
3       budget processes; amending s. 129.201, F.S.;  
4       authorizing a supervisor of elections to file a budget  
5       appeal to the Administration Commission in a specified  
6       manner; requiring the Executive Office of the Governor  
7       to conduct a budget hearing in a specified manner and  
8       make findings and recommendations to the  
9       Administration Commission; requiring the commission to  
10      take specified actions relating to the budget;  
11      amending s. 218.35, F.S.; authorizing specified  
12      commissions to take certain actions relating to the  
13      proposed budget of the clerk of the circuit court;  
14      requiring such commissions to provide a certain  
15      notice; authorizing a clerk of the circuit court to  
16      file a budget appeal in a specified manner; requiring  
17      the Executive Office of the Governor to conduct a  
18      budget hearing in a specified manner and make findings  
19      and recommendations to the Administration Commission;  
20      requiring the commission to take specified actions  
21      relating to the budget; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25       Section 1. Subsection (4) of section 129.201, Florida  
26       Statutes, is amended to read:

27       129.201 Budget of supervisor of elections; manner and time  
28       of preparation and presentation.—

29       (4) The board or commission, as appropriate, may require

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20251260\_\_

30 the supervisor of elections to correct mathematical, mechanical,  
31 factual, and clerical errors and errors of form in the proposed  
32 budget. At the hearings held pursuant to s. 200.065, the board  
33 or commission may amend, modify, increase, or reduce any or all  
34 items of expenditure in the proposed budget as submitted under  
35 subsections (1) and (2); and, as amended, modified, increased,  
36 or reduced, such budget shall be approved by the board or  
37 commission, which must provide written notice of its action to  
38 specific items amended, modified, increased, or reduced.

39 (a) The supervisor of elections, within 30 days after  
40 receiving written notice of such action by the board or  
41 commission, in person or in his or her office, may file an  
42 appeal by petition to the Administration Commission. The  
43 petition must set forth the budget proposed by the supervisor of  
44 elections, in the form and manner prescribed by the Executive  
45 Office of the Governor and approved by the Administration  
46 Commission, and the budget as approved by the board of county  
47 commissioners or the budget commission and shall contain the  
48 reasons or grounds for the appeal. Such petition shall be filed  
49 with the Executive Office of the Governor, and a copy served  
50 upon the board or commission from the decision of which appeal  
51 is taken by delivering the same to the chair or president  
52 thereof or to the clerk of the circuit court.

53 (b) The board or commission shall have 5 days following  
54 delivery of a copy of such petition to file a reply with the  
55 Executive Office of the Governor, and shall deliver a copy of  
56 such reply to the supervisor of elections.

57 (c) Upon receipt of the petition, the Executive Office of  
58 the Governor shall provide for a budget hearing at which the

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59 matters presented in the petition and the reply shall be  
60 considered. A report of the findings and recommendations of the  
61 Executive Office of the Governor thereon shall be promptly  
62 submitted to the Administration Commission, which, within 30  
63 days, shall either approve the action of the board or commission  
64 as to each separate item, or approve the budget as proposed by  
65 the supervisor of elections as to each separate item, or amend  
66 or modify the budget as to each separate item within the limits  
67 of the proposed board of expenditures and the expenditures as  
68 approved by the board of county commissioners or the budget  
69 commission, as the case may be. The budget as approved, amended,  
70 or modified by the Administration Commission shall be final.

71 Section 2. Present subsections (4), (5), and (6) of section  
72 218.35, Florida Statutes, are redesignated as subsections (5),  
73 (6), and (7), respectively, and a new subsection (4) is added to  
74 that section, to read:

75 218.35 County fee officers; financial matters.—

76 (4) The board or commission, as appropriate, may require  
77 the clerk of the circuit court to correct mathematical,  
78 mechanical, factual, and clerical errors and errors of form in  
79 the proposed budget. At the hearings held pursuant to s.  
80 200.065, the board or commission may amend, modify, increase, or  
81 reduce any or all items of expenditure in the proposed budget as  
82 submitted under paragraph (2) (b); and, as amended, modified,  
83 increased, or reduced, such budget shall be approved by the  
84 board or commission, which must provide written notice of its  
85 action to specific items amended, modified, increased, or  
86 reduced.

87 (a) The clerk of the circuit court, within 30 days after

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88 receiving written notice of such action by the board or  
89 commission, in person or in his or her office, may file an  
90 appeal by petition to the Administration Commission. The  
91 petition must set forth the budget proposed by the clerk of the  
92 circuit court, in the form and manner prescribed by the  
93 Executive Office of the Governor and approved by the  
94 Administration Commission, and the budget as approved by the  
95 board of county commissioners or the budget commission and shall  
96 contain the reasons or grounds for the appeal. Such petition  
97 shall be filed with the Executive Office of the Governor, and a  
98 copy served upon the board or commission from the decision of  
99 which appeal is taken by delivering the same to the chair or  
100 president thereof.

101 (b) The board or commission shall have 5 days following  
102 delivery of a copy of such petition to file a reply with the  
103 Executive Office of the Governor, and shall deliver a copy of  
104 such reply to the clerk of the circuit court.

105 (c) Upon receipt of the petition, the Executive Office of  
106 the Governor shall provide for a budget hearing at which the  
107 matters presented in the petition and the reply shall be  
108 considered. A report of the findings and recommendations of the  
109 Executive Office of the Governor thereon shall be promptly  
110 submitted to the Administration Commission, which, within 30  
111 days, shall either approve the action of the board or commission  
112 as to each separate item, or approve the budget as proposed by  
113 the clerk of the circuit court as to each separate item, or  
114 amend or modify the budget as to each separate item within the  
115 limits of the proposed board of expenditures and the  
116 expenditures as approved by the board of county commissioners or

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20251260\_\_

117 the budget commission, as the case may be. The budget as  
118 approved, amended, or modified by the Administration Commission  
119 shall be final.

120 Section 3. This act shall take effect July 1, 2025.



The Florida Senate

## Committee Agenda Request

**To:** Senator Stan McClain, Chair  
Committee on Community Affairs

**Subject:** Committee Agenda Request

**Date:** March 3, 2025

---

I respectfully request that **Senate Bill #1260**, relating to County Constitutional Officer Budget Processes, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in blue ink that reads "Clay Yarborough".

---

Senator Clay Yarborough  
Florida Senate, District 4

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: SB 1738

INTRODUCER: Senator Ingoglia

SUBJECT: Transportation Concurrency

DATE: March 14, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	<b>Favorable</b>
2.	_____	_____	TR	_____
3.	_____	_____	RC	_____

---

**I. Summary:**

SB 1738 permits a local government to identify facilities necessary to maintain current levels of service in the capital improvements element of the comprehensive plan as an alternative to those necessary to meet an adopted level of service.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Transportation Impact Fees**

The Community Planning Act requires counties and municipalities to produce and maintain a comprehensive plan for future development and growth.<sup>1</sup> Each comprehensive plan must include a transportation element, the purpose of which is to plan for a multimodal transportation system emphasizing feasible public transportation, addressing mobility issues pertinent to the size and character of the local government, and designed to support all other elements of the comprehensive plan.<sup>2</sup> The transportation element must address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways.<sup>3</sup>

In furtherance of comprehensive planning, local governments charge impact fees, generally as a condition for the issuance of a project's building permit, to maintain various civic services amid growth. The principle behind the imposition of impact fees is to transfer to new users of a government-owned system a fair share of the costs the new use of the system involves.<sup>4</sup> Impact

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<sup>1</sup> Part II, chapter 163, F.S.

<sup>2</sup> Section 163.3177(6)(b), F.S.

<sup>3</sup> Section 163.3177(6)(b)1., F.S.

<sup>4</sup> *Contractors & Builders Ass'n of Pinellas County v. City of Dunedin*, 329 So. 2d 314, 317-318 (Fla. 1976).

fees have become an accepted method of paying for public improvements that must be constructed to serve new growth.<sup>5</sup> In order for an impact fee to be a constitutional user fee and not an unconstitutional tax, the fee must meet a dual rational nexus test, through which the local government must demonstrate the impact fee is proportional and reasonably connected to, or has a rational nexus with:

- The need for additional capital facilities and the increased impact generated by the new residential or commercial construction; and
- The expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.<sup>6</sup>

Impact fee calculations vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources, and the local government's determination to charge the full cost or only part of the cost of the infrastructure improvement through utilization of the impact fee.

Local governments must credit against impact fee collections any contribution related to public facilities or infrastructure on a dollar-for-dollar basis at fair market value for the general category or class of public facilities or infrastructure for which the contribution was made. If no impact fee is collected for that category of public facility or infrastructure for which the contribution is made, no credit may be applied.<sup>7</sup> Credits for impact fees may be assigned or transferred at any time once established, from one development or parcel to another within the same impact fee zone or district or within an adjoining impact fee zone or district within the same local government jurisdiction.<sup>8</sup>

### **Concurrency and Proportionate Share**

“Concurrency” is a phrase referring to a set of land use regulations requiring local governments to ensure that new development does not outstrip a local government's ability to provide necessary services. Developments meet concurrency requirements when the local government has the infrastructure capacity to serve the new growth.

A concurrency requirement is a law stating that certain infrastructure must be in place and available to serve new development before the local government may allow new citizens to live in the new development.<sup>9</sup> For example, before a local government can approve a building permit to allow a new development, it must consult with its water suppliers to ensure adequate supplies to serve the new development will be available by the time citizens can move in.<sup>10</sup> Certain services are subject to concurrency statewide (sanitary sewer, solid waste, drainage, and potable

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<sup>5</sup> *St. Johns County v. Ne. Florida Builders Ass'n, Inc.*, 583 So. 2d 635, 638 (Fla. 1991); section 163.31801(2), F.S.

<sup>6</sup> *See St. Johns County* at 637. Codified as s. 163.31801(3)(f) and (g), F.S.

<sup>7</sup> Section 163.31801(5), F.S.

<sup>8</sup> Section 163.31801(10), F.S. In an action challenging an impact fee or a failure to provide proper credits, the local government has the burden of proof to establish the imposition of the fee or the credit complies with the statute, and the court may not defer to the decision or expertise of the government. S. 163.31801(9), F.S.

<sup>9</sup> Section 163.3180(2), F.S.

<sup>10</sup> *Id.*

water) while other services, such as public transportation or schools, may optionally be subjected to concurrency by a local government.<sup>11</sup>

Proportionate share is a tool local governments may use to require developers to help mitigate the impacts of their development notwithstanding a failure to achieve and maintain the adopted level of service standards.<sup>12</sup> Proportionate share generally requires developers to contribute to costs, or build facilities, necessary to offset a new development's impacts.<sup>13</sup>

### ***Transportation Concurrency***

Local governments utilizing transportation concurrency must use professionally accepted studies to evaluate levels of service and techniques to measure such levels of service when evaluating potential impacts of proposed developments.<sup>14</sup> While local governments implementing a transportation concurrency system are encouraged to develop and use certain tools and guidelines, such as addressing potential negative impacts on urban infill and redevelopment<sup>15</sup> and adopting long-term multimodal strategies,<sup>16</sup> such local governments must follow specific concurrency requirements including consulting with the Florida Department of Transportation if proposed amendments to the plan affect the Strategic Intermodal System, exempting public transit facilities from concurrency requirements, and allowing a developer to contribute a proportionate share to mitigate transportation impacts for a specific development.<sup>17</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 163.3180 (5)(d), F.S., to permit a local government to identify facilities necessary to maintain current levels of service, as opposed to facilities necessary to meet newly adopted levels of service, in the capital improvements element of the comprehensive plan. This amendment allows a local government to elaborate on capital improvements in its comprehensive plan, but does not replace the adoption of a level of service for the purpose of applying concurrency to future development as required by subsection (5)(a).

The bill takes effect July 1, 2025.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>11</sup> Section 163.3180(1), F.S.

<sup>12</sup> Florida Department of Community Affairs (now Department of Economic Opportunity), *Transportation Concurrency: Best Practices Guide*, pg. 64 (2007), retrieved from [https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1041&context=cutr\\_tpppfr](https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1041&context=cutr_tpppfr) (last visited Mar. 11, 2025).

<sup>13</sup> *Id.*

<sup>14</sup> Section 163.3180(5)(b)-(c), F.S.

<sup>15</sup> Section 163.3180(5)(e), F.S.

<sup>16</sup> Section 163.3180(f), F.S.

<sup>17</sup> Section 163.3180(5)(h), F.S.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 163.3180 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Ingoglia

11-01721-25

20251738\_\_

1                                   A bill to be entitled  
2       An act relating to transportation concurrency;  
3       amending s. 163.3180, F.S.; revising facilities  
4       required to be identified in the capital improvements  
5       element of a comprehensive plan that imposes  
6       transportation concurrency; providing an effective  
7       date.

8  
9   Be It Enacted by the Legislature of the State of Florida:

10  
11       Section 1. Paragraph (d) of subsection (5) of section  
12       163.3180, Florida Statutes, is amended to read:

13       163.3180 Concurrency.—

14       (5)

15       (d) The premise of concurrency is that the public  
16       facilities will be provided in order to achieve and maintain the  
17       adopted level of service standard. A comprehensive plan that  
18       imposes transportation concurrency shall contain appropriate  
19       amendments to the capital improvements element of the  
20       comprehensive plan, consistent with the requirements of s.  
21       163.3177(3). The capital improvements element shall identify  
22       facilities necessary to meet adopted levels of service during a  
23       5-year period or to maintain current levels of service.

24       Section 2. This act shall take effect July 1, 2025.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Banking and Insurance, *Chair*  
Environment and Natural Resources, *Vice Chair*  
Appropriations Committee on Criminal and  
Civil Justice  
Appropriations Committee on Transportation,  
Tourism, and Economic Development  
Fiscal Policy  
Regulated Industries  
Rules

### JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

**SENATOR BLAISE INGOGLIA**

11th District

March 7<sup>th</sup>, 2025

The Honorable Stan McClain, Chair  
Committee on Community Affairs  
312 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399

### **RE: SB 1738 Transportation Concurrency**

Chair McClain,

Senate Bill 1738 has been referred to the Committee on Community Affairs as its first committee of reference. I respectfully ask that it be placed on the committee agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingoglia".

Blaise Ingoglia  
*State Senator, District 11*

*CC'd: Elizabeth Fleming, Tatiana Warden*

#### REPLY TO:

- 2943 Landover Boulevard, Spring Hill, Florida 34608 (352) 666-5707
- 306 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5011

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

# APPEARANCE RECORD

3.17.25

1738

Meeting Date

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name

Sarah Suskey

Phone

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Address

204 S. Monroe St

Email

Sarah@tapfla.com

Street

City

Tallahassee

State

FL

Zip

32301

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Citrus County

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

# CourtSmart Tag Report

Room: SB 37  
Caption: Senate Community Affairs Committee

Case No.:

Type:  
Judge:

Started: 3/17/2025 4:02:56 PM

Ends: 3/17/2025 6:41:03 PM

Length: 02:38:08

4:02:56 PM Call to order  
4:02:59 PM Roll call  
4:03:09 PM Quorum  
4:03:17 PM Pledge of Allegiance  
4:03:38 PM Opening remarks  
4:03:49 PM Tab 5 - SB 1134  
4:04:06 PM Senator Calatayud opens  
4:05:18 PM Senator Pizzo  
4:05:43 PM Senator Calatayud  
4:05:53 PM Senator Pizzo  
4:06:01 PM Senator Calatayud  
4:06:07 PM Amendment barcode 737696  
4:07:02 PM Amendment adopted  
4:07:22 PM Senator Pizzo  
4:07:58 PM Public testimony  
4:09:02 PM Dan Sinclair, speaks for information  
4:11:00 PM Senator Calatayud closes  
4:11:46 PM Roll call vote  
4:12:01 PM SB 1134 is reported favorably  
4:12:28 PM Tab 2 - SB 784  
4:12:32 PM Senator Ingoglia  
4:13:08 PM Amendment barcode 821174  
4:13:45 PM Senator Passidomo  
4:14:11 PM Senator Ingoglia  
4:14:30 PM Senator Passidomo  
4:14:52 PM Senator Ingoglia  
4:15:19 PM Discussion between Senator Passidomo and Senator Ingoglia  
4:16:10 PM Public testimony  
4:17:19 PM Jeff Scala, Florida Association of Counties, speaking for information  
4:17:54 PM Senator Pizzo  
4:18:04 PM Jeff Scala  
4:18:08 PM Senator Pizzo  
4:18:20 PM Discussion between Senator Pizzo and Jeff Scala  
4:20:08 PM Amendment adopted  
4:20:33 PM Public testimony  
4:20:38 PM Waives in support  
4:20:49 PM Debate  
4:20:53 PM Senator Pizzo  
4:21:33 PM Senator Passidomo  
4:22:00 PM Senator Ingoglia closes  
4:22:23 PM Roll call vote  
4:22:58 PM SB 784 is reported favorably  
4:23:10 PM Tab 8 - SB 1738  
4:23:20 PM Senator Ingoglia opens  
4:23:37 PM Senator Pizzo  
4:23:59 PM Waives in support  
4:24:10 PM Senator Ingoglia closes  
4:24:13 PM Roll call vote  
4:24:23 PM SB 1738 reported favorably  
4:24:34 PM Gavel moved from Chair McClain to Vice Chair Fine  
4:25:04 PM Tab 3 - SB 1080  
4:25:10 PM Senator McClain opens

4:26:01 PM Senator Pizzo  
4:26:16 PM Senator McClain  
4:26:26 PM Senator Pizzo  
4:26:43 PM Senator McClain  
4:27:40 PM Public testimony  
4:27:57 PM Waives in support  
4:28:18 PM Mayor Dave Gattis, speaks in opposition  
4:31:15 PM Senator Pizzo  
4:31:38 PM Mayor Dave Gattis  
4:31:55 PM Senator Pizzo  
4:32:13 PM Mayor Dave Gattis  
4:32:48 PM Debate  
4:32:52 PM Senator Passidomo  
4:33:08 PM Senator Pizzo  
4:34:15 PM Senator McClain closes  
4:36:11 PM Roll call vote  
4:36:33 PM SB 1080 is reported favorably  
4:36:35 PM Gavel is turned back from Vice Chair Fine to Chair McClain  
4:36:40 PM Tab 7 - SB 1260  
4:36:49 PM Senator Yarborough opens  
4:37:40 PM Questions  
4:38:29 PM Senator Jones  
4:38:51 PM Senator Yarborough  
4:39:04 PM Senator Sharief  
4:40:01 PM Senator Yarborough  
4:40:39 PM Discussion between Senator Sharief and Senator Yarborough  
4:41:55 PM Senator Yarborough closes  
4:42:08 PM Roll call vote  
4:42:19 PM SB 1260 is reported favorably  
4:42:28 PM Tab 1 - SB 420  
4:42:32 PM Senator Yarborough opens  
4:42:54 PM Amendment barcode 433986  
4:44:37 PM Questions  
4:44:39 PM Senator Pizzo  
4:44:56 PM Senator Yarborough  
4:45:17 PM Discussion between Senator Pizzo and Senator Yarborough  
4:49:08 PM Senator Jones  
4:50:11 PM Senator Yarborough  
4:51:53 PM Discussion between Senator Jones and Senator Yarborough  
4:56:50 PM Public testimony  
4:57:00 PM Waives in opposition  
4:57:22 PM Debate  
4:57:23 PM Senator Pizzo  
5:01:46 PM Senator Jones  
5:04:52 PM Senator Sharief  
5:06:31 PM Senator Yarborough closes  
5:07:10 PM Amendment adopted  
5:07:24 PM Questions  
5:07:29 PM Senator Sharief  
5:07:47 PM Senator Yarborough  
5:08:11 PM Senator Sharief  
5:09:28 PM Senator Yarborough  
5:09:31 PM Jeff Nall, speaks in opposition  
5:10:46 PM Dr. Sonia Howman speaks in opposition  
5:11:37 PM Colton Taylor, speaks in opposition  
5:12:20 PM Jon Harris Mourer, Equality Florida, speaks in opposition  
5:12:26 PM Matthew Grocholske, speaks in opposition  
5:13:49 PM Mia Launcher, speaks in opposition  
5:14:09 PM John Labriola, Christian Family Coalition Florida, speaks in support  
5:14:41 PM Senator Pizzo  
5:14:54 PM Thomas K. Holdcraft, speaks in opposition  
5:15:30 PM Carol Cleaver, speaks in opposition

5:16:05 PM Diane Williams-Cox, speaks in opposition  
5:16:49 PM Senator Jones  
5:17:10 PM Dianne Williams-Cox  
5:17:35 PM Senator Jones  
5:17:44 PM Dianne Williams-Cox  
5:18:00 PM Echo Nova, speaks in opposition  
5:18:03 PM Wendi McFarland, speaks in opposition  
5:18:45 PM Senator Pizzo  
5:20:10 PM Wendi McFarland  
5:20:54 PM Debbie Deland, speaks in opposition  
5:20:59 PM Max Fenning, PRISM, speaks in opposition  
5:21:32 PM Rev. Craig Cranston, speaks in opposition  
5:22:53 PM Carol Clearer, speaks in opposition  
5:22:55 PM Ash Bradley, speaks in opposition  
5:24:10 PM Yerimiah Evans, speaks in opposition  
5:24:34 PM Vance Ahrens, speaks in opposition  
5:25:14 PM Jules Rayne, speaks in opposition  
5:25:57 PM Aaron DiPietro, Florida Family Voice, speaks in support  
5:26:43 PM Nolan Wilson, speaks in opposition  
5:27:27 PM Miles Davis, PRISM, speaks in opposition  
5:28:53 PM Nathan Bruemmer, speaks in opposition  
5:29:55 PM Waives in opposition  
5:32:16 PM Debate  
5:32:17 PM Senator Jones  
5:37:11 PM Senator Sharief  
5:43:45 PM Senator Pizzo  
5:47:32 PM Senator Passidomo  
5:50:14 PM Senator Yarborough closes  
5:53:34 PM Roll call vote  
5:54:36 PM SB 420 is reported favorably  
5:54:56 PM Gavel moved from Chair McClain to Vice Chair Fine  
5:55:06 PM Tab 6 - SB 1188  
5:55:22 PM Senator McClain opens  
5:56:12 PM Public testimony  
5:56:21 PM Waives in opposition  
5:56:28 PM Senator McClain closes  
5:56:33 PM Roll call vote  
5:56:51 PM SB 1188 reported favorably  
5:57:03 PM Tab 4 - SB 1118  
5:57:08 PM Senator McClain opens  
5:59:28 PM Amendment barcode 632862  
6:00:59 PM Questions  
6:02:00 PM Senator Jones  
6:02:09 PM Senator McClain  
6:03:09 PM Senator Jones  
6:03:32 PM Senator McClain  
6:04:00 PM Senator Jones  
6:04:23 PM Senator McClain  
6:04:39 PM Senator Jones  
6:05:22 PM Senator McClain  
6:05:28 PM Amendment to amendment barcode 205334  
6:06:36 PM Questions  
6:06:47 PM Senator Pizzo  
6:06:56 PM Senator McClain  
6:07:37 PM Senator Jones  
6:07:44 PM Amendment to amendment adopted  
6:08:51 PM Waives in support  
6:08:57 PM Waives in opposition  
6:09:06 PM Matthew Giocholske, speaks in opposition  
6:10:10 PM Jeff Scala, Florida Association of Counties, speaks in opposition  
6:12:13 PM Kari Hebrank, Florida Home Builders Association, speaks in support  
6:13:27 PM Senator Pizzo

**6:15:06 PM** Kari Hebrank  
**6:15:54 PM** Louis Rotundo, City of Altamonte Springs, speaks in support  
**6:17:36 PM** Amendment is adopted  
**6:18:00 PM** Senator Passidomo  
**6:18:42 PM** Public testimony  
**6:18:56 PM** Matthew Grocholske, speaks in opposition  
**6:19:58 PM** Elizabeth Alvi, Audobon Florida, speaks in opposition  
**6:20:46 PM** David Cruz, Florida League of Cities, speaks in opposition  
**6:21:20 PM** Franklin Hileman, speaks in opposition  
**6:22:06 PM** Dave Gattis, speaks in opposition  
**6:23:51 PM** Chadwick Leonard, 1000 Friends of Florida, speaks in opposition  
**6:24:36 PM** Waives in support and opposition  
**6:26:37 PM** Senator Pizzo  
**6:28:03 PM** Senator Sharief  
**6:29:09 PM** Senator Jones  
**6:29:43 PM** Senator Passidomo  
**6:33:19 PM** Senator Fine  
**6:34:45 PM** Senator McClain closes  
**6:39:02 PM** Roll call vote  
**6:40:03 PM** SB 1118 is reported favorably  
**6:40:27 PM** Gavel from Vice Chair Fine to Chair McClain  
**6:40:34 PM** Meeting adjourned