

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing bill: Economic Development &  
2 Tourism Subcommittee  
3 Representative Moraitis offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (8) of section 163.3167, Florida Statutes, is amended to read:

163.3167 Scope of act.—

(8) (a) An initiative or referendum process in regard to any  
development order ~~or in regard to any local comprehensive plan  
amendment or map amendment~~ is prohibited. ~~However, any local  
government charter provision that was in effect as of June 1,  
2011, for an initiative or referendum process in regard to~~

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16 ~~development orders or in regard to local comprehensive plan~~  
17 ~~amendments or map amendments, may be retained and implemented.~~

18 (b) An initiative or referendum process in regard to any  
19 local comprehensive plan amendment or map amendment is  
20 prohibited. However, an initiative or referendum process in  
21 regard to any local comprehensive plan amendment or map  
22 amendment that affects more than five parcels of land is allowed  
23 if it is expressly authorized by specific language in a local  
24 government charter that was lawful and in effect on June 1,  
25 2011; a general local government charter provision for an  
26 initiative or referendum process is not sufficient.

27 (c) It is the intent of the Legislature that initiative and  
28 referendum be prohibited in regard to any development order. It  
29 is the intent of the Legislature that initiative and referendum  
30 be prohibited in regard to any local comprehensive plan or map  
31 amendment, except as specifically and narrowly permitted in  
32 subsection (b) with regard to local comprehensive plan or map  
33 amendments that affect more than five parcels of land.  
34 Therefore, the prohibition on initiative and referendum stated  
35 in subsections (a) and (b) is remedial in nature and applies  
36 retroactively to any initiative or referendum process commenced  
37 after June 1, 2011, and any such initiative or referendum  
38 process that has been commenced or completed thereafter is  
39 hereby deemed null and void and of no legal force and effect.

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40 Section 2. This act shall take effect upon becoming a law.

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

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Remove everything before the enacting clause and insert:

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A bill to be entitled

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An act relating to growth management; amending s. 163.3167,

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F.S.; providing that an initiative or referendum process

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for any development order is prohibited; providing that an

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initiative or referendum process for any local

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comprehensive plan amendments and map amendments is

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prohibited; providing an exception for initiative or

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referendum process specifically authorized by local

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government charter provision in effect as of such date for

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certain local comprehensive plan amendments and map

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amendments; providing that certain charter provisions for

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an initiative or referendum process is not sufficient;

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providing legislative intent; providing that certain

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prohibitions apply retroactively; providing an effective

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date.