

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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 WITHDRAWN  (Y/N)  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

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Trujillo offered the following:

3  
 4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:  
 6 Section 1. Section 125.022, Florida Statutes, is amended  
 7 to read:

8 125.022 Development permits.—When a county denies an  
 9 application for a development permit, the county shall give  
 10 written notice to the applicant. The notice must include a  
 11 citation to the applicable portions of an ordinance, rule,  
 12 statute, or other legal authority for the denial of the permit.  
 13 As used in this section, the term "development permit" has the  
 14 same meaning as in s. 163.3164. For any development permit  
 15 application filed with the county after July 1, 2012, a county  
 16 may not require as a condition of processing or issuing a  
 17 development permit that an applicant obtain a permit or approval  
 18 from any state or federal agency unless the agency has issued a  
 19 final agency action that denies the federal or state permit  
 20 before the county action on the local development permit.

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21 Issuance of a development permit by a county does not in any way  
22 create any rights on the part of the applicant to obtain a  
23 permit from a state or federal agency and does not create any  
24 liability on the part of the county for issuance of the permit  
25 if the applicant fails to obtain requisite approvals or fulfill  
26 the obligations imposed by a state or federal agency or  
27 undertakes actions that result in a violation of state or  
28 federal law. A county shall ~~may~~ attach such a disclaimer to the  
29 issuance of a development permit and shall ~~may~~ include a permit  
30 condition that all other applicable state or federal permits be  
31 obtained before commencement of the development. This section  
32 does not prohibit a county from providing information to an  
33 applicant regarding what other state or federal permits may  
34 apply.

35 Section 2. Section 166.033, Florida Statutes, is amended  
36 to read:

37 166.033 Development permits.—When a municipality denies an  
38 application for a development permit, the municipality shall  
39 give written notice to the applicant. The notice must include a  
40 citation to the applicable portions of an ordinance, rule,  
41 statute, or other legal authority for the denial of the permit.  
42 As used in this section, the term "development permit" has the  
43 same meaning as in s. 163.3164. For any development permit  
44 application filed with the municipality after July 1, 2012, a  
45 municipality may not require as a condition of processing or  
46 issuing a development permit that an applicant obtain a permit  
47 or approval from any state or federal agency unless the agency  
48 has issued a final agency action that denies the federal or

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49 state permit before the municipal action on the local  
 50 development permit. Issuance of a development permit by a  
 51 municipality does not in any way create any right on the part of  
 52 an applicant to obtain a permit from a state or federal agency  
 53 and does not create any liability on the part of the  
 54 municipality for issuance of the permit if the applicant fails  
 55 to obtain requisite approvals or fulfill the obligations imposed  
 56 by a state or federal agency or undertakes actions that result  
 57 in a violation of state or federal law. A municipality shall ~~may~~  
 58 attach such a disclaimer to the issuance of development permits  
 59 and shall ~~may~~ include a permit condition that all other  
 60 applicable state or federal permits be obtained before  
 61 commencement of the development. This section does not prohibit  
 62 a municipality from providing information to an applicant  
 63 regarding what other state or federal permits may apply.

64 Section 3. Subsection (3) of section 24 of chapter 2012-  
 65 205, Laws of Florida, is amended to read:

66 Section 24. (3) The holder of a valid permit or other  
 67 authorization that is eligible for the 2-year extension must  
 68 notify the authorizing agency in writing by October 1, 2013  
 69 ~~December 31, 2012~~, identifying the specific authorization for  
 70 which the holder intends to use the extension and the  
 71 anticipated timeframe for acting on the authorization.

72 Section 4. This act shall take effect July 1, 2013.

73  
 74 -----  
**T I T L E A M E N D M E N T**

75  
 76 Remove everything before the enacting clause and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7019 (2013)

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77 An act relating to permits; amending ss. 125.022 and 163.033,  
78 F.S.; requiring counties and municipalities to attach certain  
79 disclaimers and include certain permit conditions when issuing  
80 development permits; amending s. 24, ch. 2012-2-5, Laws of  
81 Florida, relating to the extension of certain local government-  
82 issued building permits and certain permits issued by the  
83 Department of Environmental Protection or a water management  
84 district; revising the date by which the holder of such permits  
85 must notify the authorizing agency of specified information with  
86 respect to the extension; providing an effective date.