



168742

LEGISLATIVE ACTION

Senate

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House

Senator Brandes moved the following:

1 **Senate Amendment to Amendment (155860) (with title**
2 **amendment)**

3
4 Between lines 319 and 320
5 insert:

6 Section 7. Subsection (8) of section 163.3215, Florida
7 Statutes, is amended to read:

8 163.3215 Standing to enforce local comprehensive plans
9 through development orders.—

10 (8) (a) In any proceeding under subsection (3), either party
11 is entitled to the summary procedure provided in s. 51.011, and



12 the court shall advance the cause on the calendar, subject to
13 paragraph (b) ~~or subsection (4)~~, the Department of Legal Affairs
14 may intervene to represent the interests of the state.

15 (b) Upon a showing by either party by clear and convincing
16 evidence that summary procedure is inappropriate, the court may
17 determine that summary procedure does not apply.

18 (c) The prevailing party in a challenge to a development
19 order filed under subsection (3) is entitled to recover
20 reasonable attorney fees and costs incurred in challenging or
21 defending the order, including reasonable appellate attorney
22 fees and costs.

23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Delete line 475

27 and insert:

28 certain preexisting development orders; amending s.
29 163.3215, F.S.; providing that either party is
30 entitled to a certain summary procedure in certain
31 proceedings; requiring the court to advance such cause
32 on the calendar, subject to certain requirements;
33 providing that the prevailing party in a certain
34 challenge to a development order is entitled to
35 certain attorney fees and costs; amending s.