

Amendment No.

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WITHDRAWN	_____	(Y/N)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: Civil Justice Subcommittee
 2 Representative Grant, J. offered the following:

Amendment (with title amendment)

Between lines 344 and 345, insert:

6 Section 3. Subsections (2), (3), and (4), paragraph (b) of
 7 subsection (5), paragraphs (a), (b), and (c) of subsection (6),
 8 subsections (8), (10), (11), (12), and (13), paragraph (a) of
 9 subsection (15), paragraph (a) of subsection (16), and
 10 subsections (17), (18), (19), (20), (21), (24), (25), (26),
 11 (28), and (30) of section 70.51, Florida Statutes, are amended
 12 to read:

13 70.51 Land use and environmental dispute resolution.—

14 (2) As used in this section, the term:

15 (a) "Comprehensive plan amendment" means a governmental
 16 action subject to s. 163.3181(4).

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17 (b)-(a) "Development order" means any order, or notice of
18 proposed state or regional governmental agency action, which is
19 or will have the effect of granting, denying, or granting with
20 conditions an application for a development permit, and includes
21 the rezoning of a specific parcel. ~~Actions by the state or a~~
22 ~~local government on comprehensive plan amendments are not~~
23 ~~development orders.~~

24 (c)-(b) "Development permit" means any building permit,
25 zoning permit, subdivision approval, certification, special
26 exception, variance, or any other similar action of local
27 government, as well as any permit authorized to be issued under
28 state law by state, regional, or local government which has the
29 effect of authorizing the development of real property
30 including, but not limited to, programs implementing chapters
31 125, 161, 163, 166, 187, 258, 372, 373, 378, 380, and 403.

32 (d) "Enforcement action" means any civil or administrative
33 action by a governmental entity intended to enforce any law,
34 ordinance, regulation, rule, or policy related to the
35 development or use of real property. The term includes, but is
36 not limited to, any action taken under chapter 162, such as a
37 notice of violation, order, or placement of a lien, or the
38 service of a notice of violation or an order to correct a
39 condition, or an equivalent action, by a state agency.

40 (e)-(f) "Governmental entity" includes an agency of the
41 state, a regional or a local government created by the State

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42 Constitution or by general or special act, any county or
43 municipality, or any other entity that independently exercises
44 governmental authority. The term does not include the United
45 States or any of its agencies.

46 (f)~~(g)~~ "Land" or "real property" means land and includes
47 any appurtenances and improvements to the land, including any
48 other relevant real property in which the owner had a relevant
49 interest.

50 (g)~~(d)~~ "Owner" means a person with a legal or equitable
51 interest in real property who filed an application for a
52 development permit for the property at the state, regional, or
53 local level and who received a development order, who filed a
54 comprehensive plan amendment, or who holds legal title to or who
55 has a legal or equitable interest in real property that is
56 subject, or is otherwise a person subject to, to an enforcement
57 action of a governmental entity.

58 (h)~~(e)~~ "~~Proposed~~ Use of the property" means the proposal
59 filed by the owner to develop his or her real property or the
60 actual use of the property giving rise to an enforcement action.

61 (i)~~(e)~~ "Special magistrate" means a person selected by the
62 parties to perform the duties prescribed in this section. The
63 special magistrate must be a resident of the state and possess
64 experience and expertise in mediation and at least one of the
65 following disciplines and a working familiarity with the others:
66 land use and environmental permitting, land planning, land

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67 economics, local and state government organization and powers,
68 and the law governing the same. A special magistrate is not
69 required to be a certified mediator.

70 (3) Any owner who believes that a development order,
71 either separately or in conjunction with other development
72 orders, a comprehensive plan amendment, or an enforcement action
73 of a governmental entity~~7~~ is unreasonable or unfairly burdens
74 the use of the owner's real property~~7~~ may apply within 30 days
75 after receipt of the order or notice of the governmental action
76 for relief under this section.

77 (4) To initiate a proceeding under this section, an owner
78 must file a request for relief with the elected or appointed
79 head of the governmental entity that issued the development
80 order or orders, denied the comprehensive plan amendment, or
81 ~~that~~ initiated the enforcement action. Filing may be by
82 electronic mail to the official email address of the head of the
83 governmental entity, by hand delivery to such person, or by
84 United States mail to such person at his or her official
85 address. Formal service of process is not required for such
86 filing. The process shall be considered initiated as of the date
87 the petition is filed with the head of the governmental entity
88 pursuant to this subsection. The head of the governmental entity
89 may not charge the owner for the request for relief and must
90 forward the request for relief to the special magistrate who is

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91 mutually agreed upon by the owner and the governmental entity
92 within 10 days after receipt of the request.

93 (5) The governmental entity with whom a request has been
94 filed shall also serve a copy of the request for relief by
95 United States mail or by hand delivery to:

96 (b) Any substantially affected party who submitted oral or
97 written testimony, sworn or unsworn, of a substantive nature
98 which stated with particularity objections to or support for any
99 development order, comprehensive plan amendment, ~~at issue~~ or
100 enforcement action at issue. Notice under this paragraph is
101 required only if that party indicated a desire to receive notice
102 of any subsequent special magistrate proceedings occurring on
103 the development order, comprehensive plan amendment, or
104 enforcement action. Each governmental entity must maintain in
105 its files relating to each particular development order,
106 comprehensive plan amendment, or enforcement action ~~orders~~ a
107 mailing list of persons who have presented oral or written
108 testimony and who have requested notice.

109 (6) The request for relief must contain:

110 (a) A brief statement of the owner's ~~proposed~~ use of the
111 property.

112 (b) A summary of the development order or comprehensive
113 plan amendment or a description of the enforcement action. A
114 copy of the development order or comprehensive plan amendment or

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115 the documentation of an enforcement action at issue must be
116 attached to the request.

117 (c) A brief statement of the impact of the development
118 order, denial of the comprehensive plan amendment, or
119 enforcement action on the ability of the owner to achieve the
120 ~~proposed~~ use of the property.

121 (8) The special magistrate has the sole authority to
122 determine whether a request for relief is complete and was
123 timely filed and may conduct a hearing on whether the request
124 for relief should be dismissed for failing to include the
125 information required in subsection (6). If the special
126 magistrate dismisses the case, the special magistrate shall
127 allow the owner to amend the request and refile. Failure to file
128 an adequate amended request within the time specified shall
129 result in a dismissal with prejudice as to this proceeding. A
130 property owner who is successful in a suit to require a
131 governmental entity to participate in a proceeding under this
132 section shall be awarded attorney fees and costs.

133 (10) (a) Before initiating a special magistrate proceeding
134 to review a local development order, comprehensive plan
135 amendment, or local enforcement action, the owner must exhaust
136 all nonjudicial local government administrative appeals if the
137 appeals take no longer than 4 months. Once nonjudicial local
138 administrative appeals are exhausted and the development order,
139 comprehensive plan amendment, or enforcement action is final, or

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140 within 4 months after issuance of the development order, denial
141 of the comprehensive plan amendment, or notice of the
142 enforcement action if the owner has pursued local administrative
143 appeals even if the appeals have not been concluded, the owner
144 may initiate a proceeding under this section. Initiation of a
145 proceeding tolls the rendition or effectiveness of the
146 development order, denial of the comprehensive plan amendment,
147 ~~time for seeking judicial review of a local government~~
148 ~~development order~~ or enforcement action until the special
149 magistrate's recommendation is acted upon by the local
150 government. Election by the owner to file for judicial review of
151 a local government development order, comprehensive plan
152 amendment, or enforcement action before ~~prior to~~ initiating a
153 proceeding under this section waives any right to a special
154 magistrate proceeding.

155 (b) If an owner requests special magistrate relief from a
156 development order, comprehensive plan amendment, or enforcement
157 action issued by a state or regional agency, the time for
158 challenging agency action under ss. 120.569 and 120.57 is tolled
159 until the agency acts upon the recommendation of the special
160 magistrate or the proceeding is terminated by the owner. If an
161 owner chooses to bring a proceeding under ss. 120.569 and 120.57
162 before initiating a special magistrate proceeding, then the
163 owner waives any right to a special magistrate proceeding unless
164 all parties consent to proceeding to mediation.

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165 (11) The initial party to the proceeding is the
166 governmental entity that issues the development order or
167 comprehensive plan amendment to the owner or that is taking the
168 enforcement action. In those instances when the development
169 order, comprehensive plan amendment, or enforcement action is
170 the culmination of a process involving more than one
171 governmental entity or when a complete resolution of all
172 relevant issues would require the active participation of more
173 than one governmental entity, the special magistrate may, upon
174 application of a party, join those governmental entities as
175 parties to the proceeding if it will assist in effecting the
176 purposes of this section, and those governmental entities so
177 joined shall actively participate in the procedure.

178 (12) Within 21 days after the date of notice provided
179 under subsection (5) ~~receipt of the request for relief~~, any
180 owner of land contiguous to the owner's property and any
181 substantially affected person who submitted oral or written
182 testimony, sworn or unsworn, of a substantive nature which
183 stated with particularity objections to or support for the
184 development order, comprehensive plan amendment, or enforcement
185 action at issue may make a written request to participate in the
186 hearing by transmitting such request to the official who signed
187 the notice proceeding. Those persons may be permitted to
188 participate in the hearing but shall not be granted party or
189 intervenor status. The participation of such persons is limited

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190 to addressing issues raised regarding alternatives, variances,
191 and other types of adjustment to the development order,
192 comprehensive plan amendment, or enforcement action which may
193 impact their substantial interests, including denial of the
194 development order or comprehensive plan amendment or application
195 of an enforcement action.

196 (13) Each party must make efforts to assure that those
197 persons qualified by training or experience necessary to address
198 issues raised by the request or by the special magistrate and
199 further qualified to address alternatives, variances, and other
200 types of modifications to the development order, comprehensive
201 plan amendment, or enforcement action are present at the
202 hearing.

203 (15) (a) The special magistrate shall hold a hearing within
204 60 ~~45~~ days after his or her receipt of the request for relief
205 unless a different date is agreed to by all the parties. The
206 hearing must be held in the county in which the property is
207 located.

208 (16) (a) Five days after the date on which the special
209 magistrate is selected, or 21 days after the date on which the
210 petition is served ~~Fifteen days following the filing of a~~
211 ~~request for relief, whichever is earlier,~~ the governmental
212 entity that issued the development order or comprehensive plan
213 amendment or that is taking the enforcement action shall file a
214 response to the request for relief with the special magistrate

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215 together with a copy to the owner. The response must set forth
216 in reasonable detail the position of the governmental entity
217 regarding the matters alleged by the owner. The response must
218 include a brief statement explaining the public purpose of the
219 regulations on which the development order, comprehensive plan
220 amendment, or enforcement action is based.

221 (17) In all respects, the hearing must be informal and
222 open to the public and does not require the use of an attorney.
223 The hearing must operate at the direction and under the
224 supervision of the special magistrate. The object of the hearing
225 is to focus attention on the impact of the governmental action
226 giving rise to the request for relief and to explore
227 alternatives to the development order, comprehensive plan
228 amendment, or enforcement action and other regulatory efforts by
229 the governmental entities in order to recommend relief, when
230 appropriate, to the owner.

231 (a) The first responsibility of the special magistrate is
232 to facilitate a resolution of the conflict between the owner and
233 governmental entities to the end that some modification of the
234 owner's ~~proposed~~ use of the property or adjustment in the
235 development order, comprehensive plan amendment, or enforcement
236 action or regulatory efforts by one or more of the governmental
237 parties may be reached. Accordingly, the special magistrate
238 shall act as a facilitator or mediator between the parties in an
239 effort to effect a mutually acceptable solution. The parties

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240 shall be represented at the mediation by persons with authority
241 to bind their respective parties to a solution, or by persons
242 with authority to recommend a solution directly to the persons
243 with authority to bind their respective parties to a solution.
244 The mediation shall be conducted according to ss. 44.401-44.406.

245 (b) If an acceptable solution is not reached by the
246 parties after the special magistrate's attempt at mediation, the
247 special magistrate shall consider the facts and circumstances
248 set forth in the request for relief and any responses and any
249 other information produced at the hearing in order to determine
250 whether the action by the governmental entity or entities is
251 unreasonable or unfairly burdens the real property.

252 (c) In conducting the hearing, the special magistrate may
253 hear from all parties and witnesses that are necessary to an
254 understanding of the matter. The special magistrate shall weigh
255 all information offered at the hearing.

256 (18) The circumstances to be examined in determining
257 whether the development order, comprehensive plan amendment, or
258 enforcement action, or the development order, comprehensive plan
259 amendment, or enforcement action in conjunction with regulatory
260 efforts of other governmental parties, is unreasonable or
261 unfairly burdens use of the property may include, but are not
262 limited to:

263 (a) The history of the real property, including when it
264 was purchased, how much was purchased, where it is located, the

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265 nature of the title, the composition of the property, and how it
266 was initially used.

267 (b) The history or development and use of the real
268 property, including what was developed on the property and by
269 whom, if it was subdivided and how and to whom it was sold,
270 whether plats were filed or recorded, and whether infrastructure
271 and other public services or improvements may have been
272 dedicated to the public.

273 (c) The history of environmental protection and land use
274 controls and other regulations, including how and when the land
275 was classified, how use was proscribed, and what changes in
276 classifications occurred.

277 (d) The present nature and extent of the real property,
278 including its natural and altered characteristics.

279 (e) The reasonable expectations of the owner at the time
280 of acquisition, or immediately before ~~prior to~~ the
281 implementation of the regulation at issue, whichever is later,
282 under the regulations then in effect and under common law.

283 (f) The public purpose sought to be achieved by the
284 development order, comprehensive plan amendment, or enforcement
285 action, including the nature and magnitude of the problem
286 addressed by the underlying regulations on which the development
287 order, comprehensive plan amendment, or enforcement action is
288 based; whether the development order, comprehensive plan
289 amendment, or enforcement action is necessary to the achievement

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290 of the public purpose; and whether there are alternative
291 development orders, comprehensive plan amendments, or
292 enforcement action conditions that would achieve the public
293 purpose and allow for reduced restrictions on the use of the
294 property.

295 (g) Uses authorized for and restrictions placed on similar
296 property.

297 (h) Whether the governmental entity attempted to resolve
298 the dispute in good faith, including, but not limited to,
299 adhering to the deadlines provided in this section.

300 (i)-(h) Any other information determined relevant by the
301 special magistrate.

302 (19) Within 14 days after the conclusion of the hearing,
303 or when the parties propose a settlement agreement for entry by
304 the special magistrate pursuant to subsection (22), the special
305 magistrate shall prepare and file with all parties a written
306 recommendation.

307 (a) If the special magistrate finds and concludes that the
308 development order at issue, or the development order,
309 comprehensive plan amendment, or enforcement action in
310 combination with the actions or regulations of other
311 governmental entities, is not unreasonable or does not unfairly
312 burden the use of the owner's property, the special magistrate
313 must recommend that the development order, comprehensive plan
314 amendment, or enforcement action remain undisturbed and the

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315 proceeding shall end, subject to the owner's retention of all
316 other available remedies.

317 (b) If the special magistrate finds and concludes that the
318 development order, comprehensive plan amendment, or enforcement
319 action, or the development order, comprehensive plan amendment,
320 or enforcement action in combination with the actions or
321 regulations of other governmental entities, is unreasonable or
322 unfairly burdens use of the owner's property, the special
323 magistrate, with the owner's consent to proceed, may recommend
324 one or more alternatives that protect the public interest served
325 by the development order, comprehensive plan amendment, or
326 enforcement action and regulations at issue but allow for
327 reduced restraints on the use of the owner's real property,
328 including, but not limited to:

329 1. An adjustment of land development or permit standards
330 or other provisions controlling the development or use of land.

331 2. Increases or modifications in the density, intensity,
332 or use of areas of development.

333 3. The transfer of development rights.

334 4. Land swaps or exchanges.

335 5. Mitigation, including payments in lieu of onsite
336 mitigation.

337 6. Location on the least sensitive portion of the
338 property.

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339 7. Conditioning the amount of development or use
340 permitted.

341 8. A requirement that issues be addressed on a more
342 comprehensive basis than a single ~~proposed~~ use or development.

343 9. Rehearing or reconsideration and issuance of the
344 development order, comprehensive plan amendment, or enforcement
345 action with or without modifications or additional stipulations,
346 or a variance, special exception, or other extraordinary relief,
347 including withdrawal of the enforcement action.

348 10. Purchase of the real property, or an interest therein,
349 by an appropriate governmental entity.

350 (c) If the parties reach a proposed settlement agreement
351 at any time before the special magistrate enters a
352 recommendation, which agreement may remain subject to approval
353 by the governmental entity, the parties may request that the
354 special magistrate transmit the settlement agreement to the
355 governmental entity as the special magistrate's findings and
356 recommendation for consideration and approval by the
357 governmental entity, and the special magistrate need not include
358 the findings or conclusions set forth in paragraph (a) or
359 paragraph (b) ~~This subsection does not prohibit the owner and~~
360 ~~governmental entity from entering into an agreement as to the~~
361 ~~permissible use of the property prior to the special magistrate~~
362 ~~entering a recommendation. An agreement for a permissible use~~
363 ~~must be incorporated in the special magistrate's recommendation.~~

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364 (d) This section provides legislative authority for the
365 governmental entity or tribunal to rehear and reconsider its
366 prior action on a development order, comprehensive plan
367 amendment, or enforcement action pursuant to, and in
368 consideration of, a special magistrate's recommendation
369 regardless of whether existing statutes, rules, ordinances, or
370 regulations provide for such a procedure. Any such rehearing or
371 reconsideration shall be at a public hearing noticed and
372 otherwise conducted in the same manner as the original hearing.
373 The tribunal shall treat the special magistrate's findings, or a
374 settlement agreement, as evidence for modification of its prior
375 development order, comprehensive plan amendment, or enforcement
376 action, and shall provide an opportunity for any person who
377 participated in the original hearing or the special magistrate's
378 proceeding to provide additional evidence and testimony. The
379 tribunal's action on the special magistrate's recommendation
380 shall then become the final order on the development order,
381 comprehensive plan amendment, or enforcement action.

382 (20) The special magistrate's recommendation and findings
383 are ~~is~~ a public record under chapter 119. However, actions or
384 statements of all participants to the special magistrate
385 mediation ~~proceeding~~ are evidence of an offer to compromise and
386 inadmissible in any proceeding, judicial or administrative.

387 (21) Within 45 days after receipt of the special
388 magistrate's recommendation, the governmental entity responsible

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389 for the development order, comprehensive plan amendment, or
390 enforcement action and other governmental entities participating
391 in the proceeding must consult among themselves and each
392 governmental entity must:

393 (a) Accept or modify the recommendation of the special
394 magistrate, including any proposed settlement agreement, as
395 submitted and proceed to implement it by development agreement,
396 when appropriate, by rehearing or reconsidering the development
397 order or enforcement action, or by other method, in the ordinary
398 course and consistent with the rules and procedures of that
399 governmental entity. However, the decision of the governmental
400 entity to accept the recommendation of the special magistrate
401 with respect to rehearing or reconsidering the prior development
402 order or enforcement action or granting a modification,
403 variance, or special exception to the application of statutes,
404 rules, regulations, or ordinances as they would otherwise apply
405 to the subject property does not require an owner to duplicate
406 previous processes in which the owner has participated in order
407 to effectuate the granting of the modification, variance, or
408 special exception;

409 ~~(b) Modify the recommendation as submitted by the special~~
410 ~~magistrate and proceed to implement it by development agreement,~~
411 ~~when appropriate, or by other method, in the ordinary course and~~
412 ~~consistent with the rules and procedures of that governmental~~
413 ~~entity; or~~

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414 (b)-(e) Reject the recommendation as submitted by the
415 special magistrate. Failure to act within 45 days is a rejection
416 unless the period is extended by agreement of the owner and
417 issuer of the development order, comprehensive plan amendment,
418 or enforcement action.

419 (24) The procedure created by this section is not itself,
420 nor does it create, a judicial cause of action. Once the
421 governmental entity acts on the special magistrate's
422 recommendation, the owner may pursue whatever administrative or
423 judicial remedies are applicable ~~elect to file suit in a court~~
424 ~~of competent jurisdiction~~. Invoking the procedures of this
425 section is not a condition precedent to filing a civil action.

426 (25) Regardless of the action the governmental entity
427 takes on the special magistrate's findings and recommendation, a
428 recommendation that the development order, comprehensive plan
429 amendment, or enforcement action, or the development order,
430 comprehensive plan amendment, or enforcement action in
431 combination with other governmental regulatory actions, is
432 unreasonable or unfairly burdens use of the owner's real
433 property may serve as an indication of sufficient hardship to
434 support waivers of or modification, variances, or special
435 exceptions to the application of statutes, rules, regulations,
436 or ordinances to the subject property, whether as a part of the
437 implementation of the recommendation, in a subsequent
438 application, or in an administrative or judicial challenge to

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439 the action of the governmental entity. However, the special
440 magistrate's findings and recommendations are not preclusive to
441 any issue or defense in any subsequent administrative or
442 judicial proceeding.

443 (26) A special magistrate's findings and recommendation
444 under this section constitutes data in support of, and a support
445 document for, a comprehensive plan or comprehensive plan
446 amendment, but is not, in and of itself, dispositive of a
447 determination of compliance with chapter 163.

448 (28) Each governmental entity may establish procedural
449 guidelines to govern the conduct of proceedings authorized by
450 this section, which must include, but are not limited to,
451 payment of special magistrate fees and expenses, including the
452 costs of providing notice and effecting service of the request
453 for relief under this section, which shall be borne equally by
454 the governmental entities and the owner. Such guidelines may not
455 modify the requirements and relief provided by this section in
456 any way.

457 (30) In order to encourage the resolution of disputes, and
458 regardless of whether the parties are engaged in pending
459 litigation presently before a court or administrative agency, a
460 governmental entity may conduct meetings following the
461 procedures in s. 286.011(8) at any time after the governmental
462 entity responds in writing to a request for relief to discuss
463 settlement strategies, but shall not take action on a proposed

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464 ~~settlement agreement except at a noticed public meeting This~~
465 ~~section applies only to development orders issued, modified, or~~
466 ~~amended, or to enforcement actions issued, on or after October~~
467 ~~1, 1995.~~

468 Section 4. Subsection (4) of section 163.3181, Florida
469 Statutes, is amended to read:

470 163.3181 Public participation in the comprehensive
471 planning process; intent; alternative dispute resolution.-

472 (4) If a local government denies an owner's request for an
473 amendment to the comprehensive plan which is applicable to the
474 property of the owner, the owner may initiate a dispute
475 resolution proceeding under s. 70.51 ~~the local government must~~
476 ~~afford an opportunity to the owner for informal mediation or~~
477 ~~other alternative dispute resolution. The costs of the mediation~~
478 ~~or other alternative dispute resolution shall be borne equally~~
479 ~~by the local government and the owner. If the owner requests~~
480 ~~mediation, the time for bringing a judicial action is tolled~~
481 ~~until the completion of the mediation or 120 days, whichever is~~
482 ~~earlier.~~

483 -----
484
485 **T I T L E A M E N D M E N T**

486 Remove line 17 and insert:

487 declare prohibited exactions invalid; amending s. 70.51,
488 F.S.; providing and revising definitions; providing for

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489 resolution of disputes concerning comprehensive plan
490 amendments under the Florida Land Use and Environmental
491 Dispute Resolution Act; revising requirements for
492 initiating a proceeding under the act; providing for an
493 award of attorney fees and costs to property owners who
494 successfully bring actions to compel a governmental entity
495 to participate in certain proceedings; revising provisions
496 concerning tolling of certain administrative proceedings;
497 revising the time periods for a governmental entity to
498 respond to a request for relief; requiring mediations to be
499 conducted according to specified provisions; requiring the
500 governmental entity's conduct in dispute resolution to be
501 considered in determining whether regulatory efforts were
502 unreasonable or unfairly burdened use of the property;
503 revising the deadline for a magistrate to prepare and file
504 a written recommendation; revising provisions concerning
505 settlement agreements; specifying that a governmental
506 entity has authority to rehear and reconsider certain
507 actions pursuant to a special magistrate's recommendation;
508 providing requirements for such rehearing and
509 reconsideration; revising provisions concerning other
510 remedies that may be pursued by a property owner; providing
511 requirements for guidelines adopted by governmental
512 entities for dispute resolution proceedings; specifying
513 that certain settlement discussions are confidential;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 519 (2020)

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514 requiring that actions on proposed settlements be taken at
515 open meetings; deleting obsolete language; amending s.
516 163.3181, F.S.; conforming provisions to changes made by
517 the act; amending s.