

By Senator Rodrigues

27-01325-21

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1 A bill to be entitled
2 An act relating to relief from burdens on real
3 property rights; amending s. 70.001, F.S.; revising
4 the definitions of the terms "action of a governmental
5 entity" and "real property"; amending s. 70.51, F.S.;
6 revising the definition of the term "land"; reenacting
7 s. 70.45(1)(e), F.S., relating to governmental
8 exactions, to incorporate the amendment made to s.
9 70.001, F.S., in a reference thereto; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraphs (d) and (g) of subsection (3) of
15 section 70.001, Florida Statutes, are amended to read:

16 70.001 Private property rights protection.—

17 (3) For purposes of this section:

18 (d) The term "action of a governmental entity" means a
19 specific action of a governmental entity which affects real
20 property, including action on an application or permit or
21 adopting or enforcing any ordinance, resolution, regulation,
22 rule, or policy.

23 (g) The term "real property" means land and any legal
24 interest in land, including surface, subsurface, and mineral
25 estates; ~~includes any~~ appurtenances and improvements to the
26 land; and, ~~including~~ any other relevant interest held by a
27 property owner in the land ~~real property in which the property~~
28 owner has a relevant interest. The term includes only the land
29 that is ~~parcels that are~~ the subject of and directly impacted by

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30 the action of a governmental entity.

31 Section 2. Paragraph (g) of subsection (2) of section
32 70.51, Florida Statutes, is amended to read:

33 70.51 Land use and environmental dispute resolution.—

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

35 (g) "Land" or "real property" has the same meaning as in s.
36 70.001(3)(g) ~~means land and includes any appurtenances and~~
37 ~~improvements to the land, including any other relevant real~~
38 ~~property in which the owner had a relevant interest.~~

39 Section 3. For the purpose of incorporating the amendment
40 made by this act to section 70.001, Florida Statutes, in a
41 reference thereto, paragraph (e) of subsection (1) of section
42 70.45, Florida Statutes, is reenacted to read:

43 70.45 Governmental exactions.—

44 (1) As used in this section, the term:

45 (e) "Real property" has the same meaning as provided in s.
46 70.001(3)(g).

47 Section 4. This act shall take effect July 1, 2021.