

1                                   A bill to be entitled  
 2           An act relating to land development initiative and  
 3           referendum processes; amending s. 163.3167, F.S.;  
 4           revising the restrictions on initiative and referendum  
 5           processes; providing an effective date.

6  
 7 Be It Enacted by the Legislature of the State of Florida:  
 8

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

11           163.3167 Scope of act.—

12           (8)(a) An initiative or referendum process in regard to  
 13 any development order or any amendment to the land development  
 14 regulations is prohibited.

15           (b) An initiative or referendum process in regard to any  
 16 local comprehensive plan amendment or map amendment is  
 17 prohibited unless it is expressly authorized by specific  
 18 language in a local government charter that was lawful and in  
 19 effect on June 1, 2011. A general local government charter  
 20 provision for an initiative or referendum process is not  
 21 sufficient.

22           (c) It is the intent of the Legislature that initiative  
 23 and referendum be prohibited in regard to any development order  
 24 or any amendment to the land development regulations. It is the  
 25 intent of the Legislature that initiative and referendum be

HB41

2023

26 prohibited in regard to any local comprehensive plan amendment  
27 or map amendment, except as specifically and narrowly allowed by  
28 paragraph (b). Therefore, the prohibition on initiative and  
29 referendum stated in paragraphs (a) and (b) is remedial in  
30 nature and applies retroactively to any initiative or referendum  
31 process commenced after June 1, 2011, and any such initiative or  
32 referendum process commenced or completed thereafter is deemed  
33 null and void and of no legal force and effect.

34 Section 2. This act shall take effect July 1, 2023.