HB 843 2023

1 A bill to be entitled 2 An act relating to challenges to development orders; 3 amending s. 163.3215, F.S.; requiring a prevailing 4 party to show that the challenge to a development 5 order was frivolous before the prevailing party is 6 entitled to recover reasonable attorney fees and 7 costs; providing that intervenors are not entitled to 8 recover reasonable attorney fees and costs; providing 9 that intervenors may not recover certain attorney fees and costs; providing applicability; providing an 10 11 effective date. 12 13 Be It Enacted by the Legislature of the State of Florida: 14 15 Section 1. Paragraph (c) of subsection (8) of section

Section 1. Paragraph (c) of subsection (8) of section 163.3215, Florida Statutes, is amended to read:

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

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(c) 1. Upon showing that the challenge to the development order was frivolous, the prevailing party in a challenge to a development order filed under subsection (3) is entitled to recover reasonable attorney fees and costs incurred in challenging or defending the order, including reasonable appellate attorney fees and costs.

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CODING: Words stricken are deletions; words underlined are additions.

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26	2. An intervenor is not entitled to recover reasonable
27	attorney fees and costs under this paragraph, and may not
28	recover attorney fees and costs from an aggrieved or adversely
29	affected party.
30	Section 2. The amendments made by this act to s. $163.3215$
31	do not apply retroactively to any challenge brought before the
32	enactment of chapter 2019-165, Laws of Florida.

Section 3. This act shall take effect July 1, 2023.

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