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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/13/2026 11:58 AM

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Senator DiCeglie moved the following:

**Senate Amendment (with title amendment)**

Between lines 287 and 288

insert:

Section 10. Section 252.422, Florida Statutes, is amended  
to read:

252.422 Restrictions on county or municipal regulations  
after a hurricane.—

(1) As used in this section, the term "impacted local  
government" means a county listed in a federal disaster  
declaration located entirely or partially within 50 ~~100~~ miles of



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12 the track of a storm declared to be a hurricane by the National  
13 Hurricane Center while the storm was categorized as a hurricane  
14 and which was listed in a federal major disaster declaration  
15 pursuant to the Robert T. Stafford Disaster Relief and Emergency  
16 Assistance Act, 42 U.S.C. ss. 5121 et seq., or a municipality  
17 located within such a county.

18 (2) For 1 year after a hurricane makes landfall in this  
19 state, an impacted local government may not ~~propose or adopt~~:

20 (a) Enforce a moratorium that prevents or delays the repair  
21 or ~~on construction,~~ reconstruction, ~~or redevelopment~~ of an  
22 existing improvement damaged by such hurricane, unless the  
23 moratorium is imposed for the purpose of addressing stormwater  
24 or flood water management, potable water supply, or necessary  
25 repairs to or replacement of sanitary sewer systems ~~any~~  
26 property.

27 (b) Require the repair or reconstruction of an existing  
28 improvement damaged by such hurricane to comply with an ~~A more~~  
29 ~~restrictive or burdensome~~ amendment to its comprehensive plan or  
30 land development regulations which was first effective after  
31 such hurricane made landfall in this state.

32 (c) Enforce a change to a ~~more restrictive or burdensome~~  
33 procedure concerning review, approval, or issuance of a site  
34 plan, development permit, or development order, to the extent  
35 that those terms are defined in s. 163.3164, which increases the  
36 timeframe for the impacted local government to take final action  
37 on such review, approval, or issuance and which is effective  
38 after such hurricane makes landfall in this state.

39 (3) Notwithstanding subsection (2), a comprehensive plan  
40 amendment, land development regulation amendment, site plan,



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41 development permit, or development order approved or adopted by  
42 an impacted local government ~~before or after June 26, 2025,~~ may  
43 be enforced if:

44 (a) The associated application is initiated by a private  
45 party other than the impacted local government and the property  
46 that is the subject of the application is owned by the  
47 initiating private party;

48 ~~(b) The proposed comprehensive plan amendment was submitted~~  
49 ~~to reviewing agencies pursuant to s. 163.3184 before landfall;~~  
50 ~~or~~

51 ~~(c) The proposed comprehensive plan amendment or land~~  
52 ~~development regulation is approved by the state land planning~~  
53 ~~agency for an area of critical state concern designated pursuant~~  
54 ~~to chapter 380; pursuant to s. 380.05.~~

55 (c) The adoption of the comprehensive plan amendment or  
56 land development regulation amendment is required to comply with  
57 state or federal law; or

58 (d) The adoption of the comprehensive plan amendment or  
59 land development regulation implements a floodplain management  
60 standard consistent with 44 C.F.R. part 60, relating to the  
61 National Flood Insurance Program.

62 (4) The prohibitions of paragraphs (2) (b) and (c) apply  
63 only to property damaged to such an extent that a permit is  
64 required for the repair or reconstruction of the existing  
65 improvement. An impacted local government may require a property  
66 owner to provide documentation demonstrating that the property  
67 was damaged by a hurricane, including, but not limited to,  
68 documents produced by property appraisers, insurers, or local  
69 building inspectors.



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70           ~~(a) Any person may file suit against any impacted local~~  
71 ~~government for declaratory and injunctive relief to enforce this~~  
72 ~~section.~~

73           ~~(b) A county or municipality may request a determination by~~  
74 ~~a court of competent jurisdiction as to whether such action~~  
75 ~~violates this section. Upon such a request, the county or~~  
76 ~~municipality may not enforce the action until the court has~~  
77 ~~issued a preliminary or final judgment determining whether the~~  
78 ~~action violates this section.~~

79           ~~(c) Before a plaintiff may file suit, the plaintiff shall~~  
80 ~~notify the impacted local government by setting forth the facts~~  
81 ~~upon which the complaint or petition is based and the reasons~~  
82 ~~the impacted local government's action violates this section.~~  
83 ~~Upon receipt of the notice, the impacted local government shall~~  
84 ~~have 14 days to withdraw or revoke the action at issue or~~  
85 ~~otherwise declare it void. If the impacted local government does~~  
86 ~~not withdraw or revoke the action at issue within the time~~  
87 ~~prescribed, the plaintiff may file suit. The plaintiff shall be~~  
88 ~~entitled to entry of a preliminary injunction to prevent the~~  
89 ~~impacted local government from implementing the challenged~~  
90 ~~action during pendency of the litigation. In any action~~  
91 ~~instituted pursuant to this paragraph, the prevailing plaintiff~~  
92 ~~shall be entitled to reasonable attorney fees and costs.~~

93           ~~(d) In any case brought under this section, all parties are~~  
94 ~~entitled to the summary procedure provided in s. 51.011, and the~~  
95 ~~court shall advance the cause on the calendar.~~

96           (5) This section may not be construed to restrict a local  
97 government from adopting or enforcing changes to the Florida  
98 Building Code or local technical amendments adopted pursuant to



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99 ~~s. 553.73(4) The Office of Program Policy Analysis and~~  
100 ~~Government Accountability (OPPAGA) shall conduct a study on~~  
101 ~~actions taken by local governments after hurricanes which are~~  
102 ~~related to comprehensive plans, land development regulations,~~  
103 ~~and procedures for review, approval, or issuance of site plans,~~  
104 ~~permits, or development orders. The study must focus on the~~  
105 ~~impact that local governmental actions, including moratoriums,~~  
106 ~~ordinances, and procedures, have had or may have on~~  
107 ~~construction, reconstruction, or redevelopment of any property~~  
108 ~~damaged by hurricanes. In its research, OPPAGA shall survey~~  
109 ~~stakeholders that play integral parts in the rebuilding and~~  
110 ~~recovery process. OPPAGA shall make recommendations for~~  
111 ~~legislative options to remove impediments to the construction,~~  
112 ~~reconstruction, or redevelopment of any property damaged by a~~  
113 ~~hurricane and prevent the implementation by local governments of~~  
114 ~~burdensome or restrictive procedures and processes. OPPAGA shall~~  
115 ~~submit the report to the President of the Senate and the Speaker~~  
116 ~~of the House of Representatives by December 1, 2025.~~

117 Section 11. Section 28 of chapter 2025-190, Laws of  
118 Florida, is amended to read:

119 Section 28. (1) Each county listed in the Federal Disaster  
120 Declaration for Hurricane Debby (DR-4806), Hurricane Helene (DR-  
121 4828), or Hurricane Milton (DR-4834), and each municipality  
122 within one of those counties, may not propose or adopt any  
123 moratorium on construction, reconstruction, or redevelopment of  
124 any property damaged by such hurricanes; propose or adopt more  
125 restrictive or burdensome amendments to its comprehensive plan  
126 or land development regulations; or propose or adopt more  
127 restrictive or burdensome procedures concerning review,



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128 approval, or issuance of a site plan, development permit, or  
129 development order, to the extent that those terms are defined by  
130 s. 163.3164, Florida Statutes, before June 30, 2026 ~~October 1,~~  
131 ~~2027~~, and any such moratorium or restrictive or burdensome  
132 comprehensive plan amendment, land development regulation, or  
133 procedure shall be null and void ab initio. This subsection  
134 applies retroactively to August 1, 2024.

135 (2) Notwithstanding subsection (1), any comprehensive plan  
136 amendment, land development regulation amendment, site plan,  
137 development permit, or development order approved or adopted by  
138 a county or municipality before or after the effective date of  
139 this act may be enforced if:

140 (a) The associated application is initiated by a private  
141 party other than the county or municipality.

142 (b) The property that is the subject of the application is  
143 owned by the initiating private party.

144 (3) (a) A resident of or the owner of a business in a county  
145 or municipality may bring a civil action for declaratory and  
146 injunctive relief against the county or municipality for a  
147 violation of this section. Pending adjudication of the action  
148 and upon filing of a complaint showing a violation of this  
149 section, the resident or business owner is entitled to a  
150 preliminary injunction against the county or municipality  
151 preventing implementation of the moratorium or the comprehensive  
152 plan amendment, land development regulation, or procedure. If  
153 such civil action is successful, the resident or business owner  
154 is entitled to reasonable attorney fees and costs.

155 (b) Attorney fees and costs and damages may not be awarded  
156 pursuant to this subsection if:



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157           1. The resident or business owner provides the governing  
158 body of the county or municipality written notice that a  
159 proposed or enacted moratorium, comprehensive plan amendment,  
160 land development regulation, or procedure is in violation of  
161 this section; and

162           2. The governing body of the county or municipality  
163 withdraws the proposed moratorium, comprehensive plan amendment,  
164 land development regulation, or procedure within 14 days; or, in  
165 the case of an adopted moratorium, comprehensive plan amendment,  
166 land development regulation, or procedure, the governing body of  
167 a county or municipality notices an intent to repeal within 14  
168 days after receipt of the notice and repeals the moratorium,  
169 comprehensive plan amendment, land development regulation, or  
170 procedure within 14 days thereafter.

171           (4) This section expires June 30, 2026 ~~2028~~.

172  
173 ===== T I T L E   A M E N D M E N T =====

174 And the title is amended as follows:

175           Delete line 65

176 and insert:

177           date; amending s. 252.422, F.S.; revising the  
178 definition of the term "impacted local government";  
179 prohibiting impacted local governments from enforcing  
180 certain moratoriums, requiring the repair or  
181 reconstruction of certain improvements to meet certain  
182 requirements, or enforcing changes to specified  
183 procedures; revising circumstances under which  
184 impacted local governments may enforce certain  
185 amendments, site plans, development permits, or



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186 development orders; providing applicability;  
187 authorizing impacted local governments to require a  
188 property owner to provide specified documentation;  
189 deleting provisions related to filing suit against an  
190 impacted local government for injunctive relief;  
191 providing construction; deleting obsolete language;  
192 amending chapter 2025-190, Laws of Florida; revising  
193 the timeframe within which certain counties are  
194 prohibited from proposing or adopting certain  
195 moratoriums, amendments, or procedures; revising a  
196 future expiration date; providing effective dates.