

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/SB 912 — Land Use and Development

by Rules Committee; Environment and Natural Resources Committee; and Senator Albritton
(CS/HB 859 by State Affairs Committee and Rep. Grant)

Tolling and Extension of Permits during States of Emergencies

The State Emergency Management Act provides that the declaration of a state of emergency issued by the Governor for a natural emergency tolls the period remaining for a party to exercise rights under certain permits and other authorizations for the duration of the emergency declaration, plus an additional six months. In order to have a permit tolled under this provision, the permit holder must follow certain statutory procedures, including providing written notice of the intent to exercise the tolling within 90 days after the termination of the state of emergency. The emergency tolling afforded by this statute currently applies to the expiration of a development order issued by a local government, a building permit, and an environmental resource permit issued pursuant to ch. 373, part IV, F.S.

The bill specifies additional permits and authorizations that may be tolled during a state of emergency. These include consumptive use permits issued under ch. 373, part II, F.S., and development permits and development agreements.

The bill applies retroactively to any declaration of a state of emergency issued by the Governor for a natural emergency since March 1, 2020. Under this retroactive application, existing permits and authorizations added by the bill may receive the emergency tolling and extension for the state of emergency declared in response to the COVID-19 pandemic.

Enterprise Zone Boundaries

Florida established one of the first enterprise zone programs in the country in 1982 to encourage growth and investment in distressed areas by offering tax advantages to businesses investing in those areas. The Florida Enterprise Zone Program and its associated incentive programs sunset in December 2015. The program offered an assortment of financial incentives available to businesses to encourage private investment and increase employment opportunities for enterprise zone residents. Prior to the program's sunset, there were 65 designated enterprise zones in Florida.

Current law preserved the enterprise zone boundaries for the purpose of allowing local governments to administer local incentive programs within those boundaries through December 31, 2020. The bill amends this provision to preserve enterprise zone boundaries for local government use through December 31, 2021.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 114-0