

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Barreiro offered the following:

Amendment (with title amendment)

Between lines 611 and 612, insert:

Section 20. Subsection (13) is added to section 163.3167, Florida Statutes, to read:

Section 163.3167 Scope of act.--

(13)(a) If a local government grants a quasi-judicial development order pursuant to its adopted land development regulations and the order is not the subject of a pending appeal, the right to commence and complete development pursuant to the order may not be abrogated by a subsequent judicial determination that such land development regulations, or any portion thereof, are invalid because of a deficiency in the approval standards.

(b) This subsection does not preclude or affect the timely institution of common law writ of certiorari proceedings

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28 pursuant to Rule 9.190, Florida Rules of Appellate Procedure, or
29 original proceedings pursuant to s. 163.3215, as applicable.

30 (c) This subsection applies retroactively to any order
31 granted on or after January 1, 2002.

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33 ===== T I T L E A M E N D M E N T =====

34 Remove line 45, and insert:

35 2004 Regular Session of the Legislature; amending s.
36 163.3167, F.S.; providing that if a local government
37 grants a quasi-judicial development order pursuant to its
38 adopted land development regulations and the order is not
39 the subject of a pending appeal, the right to commence and
40 complete development pursuant to the order may not be
41 abrogated by a subsequent judicial determination that such
42 land development regulations, or any portion thereof, are
43 invalid because of a deficiency in the approval standards;
44 retaining certain legal rights; providing for retroactive
45 application; providing an