

Bill No. CS for SB 1112

Barcode 405114

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity
(Constantine) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (3) of section 120.60, Florida
Statutes, is amended to read:

120.60 Licensing.--

(3) Each applicant shall be given written notice
either personally or by mail that the agency intends to grant
or deny, or has granted or denied, the application for
license. The notice must state with particularity the grounds
or basis, including a citation to the applicable rule,
statute, or both if applicable, for the issuance or denial of
the license, except when issuance is a ministerial act.

Unless waived, a copy of the notice shall be delivered or
mailed to each party's attorney of record and to each person
who has requested notice of agency action. Each notice shall
inform the recipient of the basis for the agency decision,

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1 shall inform the recipient of any administrative hearing
 2 pursuant to ss. 120.569 and 120.57 or judicial review pursuant
 3 to s. 120.68 which may be available, shall indicate the
 4 procedure which must be followed, and shall state the
 5 applicable time limits. The issuing agency shall certify the
 6 date the notice was mailed or delivered, and the notice and
 7 the certification shall be filed with the agency clerk.

8 Section 2. Section 125.022, Florida Statutes, is
 9 created to read:

10 125.022 Development permits.--When a county denies an
 11 application for a development permit, the county shall give
 12 written notice to the applicant. The notice must state the
 13 grounds or basis, with citation to the applicable ordinance or
 14 other legal authority, for the denial of the development
 15 permit. For purposes of a quasi-judicial proceeding, the
 16 written notice may refer generally to the record before the
 17 decisionmaking body, and such notice is not required to
 18 contain written findings of fact or conclusions of law.

19 Section 3. Section 166.033, Florida Statutes, is
 20 created to read:

21 166.033 Development permits.--When a municipality
 22 denies an application for a development permit, the
 23 municipality shall give written notice to the applicant. The
 24 notice must state the grounds or basis, with citation to the
 25 applicable ordinance or other legal authority, for the denial
 26 of the development permit. For purposes of a quasi-judicial
 27 proceeding, the written notice may refer generally to the
 28 record before the decisionmaking body, and such notice is not
 29 required to contain written findings of fact or conclusions of
 30 law.

31 Section 4. This act shall take effect upon becoming a

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1 law.

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

5 And the title is amended as follows:

6 Delete everything before the enacting clause

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8 and insert:

9 A bill to be entitled

10 An act relating to the issuance of licenses and
 11 development permits; amending s. 120.60, F.S.;
 12 requiring that a state agency include a
 13 citation to the applicable rule when giving
 14 notice of its decision to issue or deny a
 15 license; creating s. 125.022, F.S.; requiring a
 16 county to give written notice of its decision
 17 to issue or deny a development permit under
 18 certain conditions; requiring that the notice
 19 include a citation to the applicable ordinance;
 20 providing criteria for the notice; creating s.
 21 166.033, F.S.; requiring a municipality to give
 22 written notice of its decision to issue or deny
 23 a development permit under certain conditions;
 24 requiring that the notice include a citation to
 25 the applicable ordinance; providing criteria
 26 for the notice; providing an effective date.

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