21-811-06

A bill to be entitled 2 An act relating to licensing; amending s. 120.60, F.S.; requiring that a state agency 3 include a citation to the applicable rule when 4 5 giving notice of its decision to issue or deny 6 a license; creating s. 125.022, F.S.; requiring 7 a county to give written notice of its decision 8 to issue or deny a license; requiring that the notice include a citation to the applicable 9 10 ordinance; creating s. 166.033, F.S.; requiring a municipality to give written notice of its 11 12 decision to issue or deny a license; requiring 13 that the notice include a citation to the applicable ordinance; providing an effective 14 date. 15 16 17 Be It Enacted by the Legislature of the State of Florida: 18 Section 1. Subsection (3) of section 120.60, Florida 19 Statutes, is amended to read: 20 21 120.60 Licensing.--22 (3) Each applicant shall be given written notice 23 either personally or by mail that the agency intends to grant or deny, or has granted or denied, the application for 2.4 license. The notice must state with particularity the grounds 25 or basis, including a citation to the applicable rule, for the 26 27 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 29 each person who has requested notice of agency action. Each 30

31

decision, shall inform the recipient of any administrative 2 hearing pursuant to ss. 120.569 and 120.57 or judicial review pursuant to s. 120.68 which may be available, shall indicate 3 the procedure which must be followed, and shall state the 4 applicable time limits. The issuing agency shall certify the 5 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 created to read: 9 10 125.022 Licensing. -- Each applicant who applies to a county for a license shall be given written notice either 11 12 personally or by mail that the county intends to grant or deny the application. The notice must state with particularity the 13 grounds or basis, including a citation to the applicable 14 ordinance, for the issuance or denial of the license. For 15 purposes of this section, the term "license" has the same 16 17 meaning as in s. 120.52. Section 3. Section 166.033, Florida Statutes, is 18 created to read: 19 166.033 Licensing. -- Each applicant who applies to a 20 21 municipality for a license shall be given written notice either personally or by mail that the municipality intends to 22 grant or deny the application. The notice must state with 23 particularity the grounds or basis, including a citation to 2.4 the applicable ordinance, for the issuance or denial of the 2.5 26 license. For purposes of this section, the term "license" has 27 the same meaning as in s. 120.52. Section 4. This act shall take effect upon becoming a 2.8 29 law. 30

********** SENATE SUMMARY Requires an agency to include a citation to the applicable rule when giving notice of its decision to issue or deny a license. Requires a county or a municipality to give written notice of its decision to issue or deny a license. Requires that the notice include a citation to the applicable ordinance.