

CHAMBER ACTION

1 The Local Government Council recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

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6 A bill to be entitled

7 An act relating to the issuance of licenses and
8 development permits; amending s. 120.60, F.S.; requiring
9 that a state agency include a citation to the applicable
10 rule or statute when giving notice of the decision to
11 issue or deny a license; creating s. 125.022, F.S.;
12 requiring a county to give written notice of the decision
13 to deny a development permit; requiring that the notice
14 include a citation to the applicable ordinance; creating
15 s. 166.033, F.S.; requiring a municipality to give written
16 notice of the decision to deny a development permit;
17 requiring that the notice include a citation to the
18 applicable ordinance; providing an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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

HB 1447 CS

2006
CS

24 120.60 Licensing.--

25 (3) Each applicant shall be given written notice either
26 personally or by mail that the agency intends to grant or deny,
27 or has granted or denied, the application for license. The
28 notice must state with particularity the grounds or basis,
29 including a citation to the applicable rule, statute, or both,
30 if applicable, for the issuance or denial of the license, except
31 when issuance is a ministerial act. Unless waived, a copy of the
32 notice shall be delivered or mailed to each party's attorney of
33 record and to each person who has requested notice of agency
34 action. Each notice shall inform the recipient of the basis for
35 the agency decision, shall inform the recipient of any
36 administrative hearing pursuant to ss. 120.569 and 120.57 or
37 judicial review pursuant to s. 120.68 which may be available,
38 shall indicate the procedure which must be followed, and shall
39 state the applicable time limits. The issuing agency shall
40 certify the date the notice was mailed or delivered, and the
41 notice and the certification shall be filed with the agency
42 clerk.

43 Section 2. Section 125.022, Florida Statutes, is created
44 to read:

45 125.022 Development permits.--When a county denies an
46 application for a development permit, the county shall give
47 written notice to the applicant. The notice must state the
48 grounds or basis, with citation to the applicable ordinance or
49 other legal authority, for the denial of the development permit.

50 Section 3. Section 166.033, Florida Statutes, is created
51 to read:

HB 1447 CS

2006
CS

52 | 166.033 Development permits.--When a municipality denies
53 | an application for a development permit, the municipality shall
54 | give written notice to the applicant. The notice must state the
55 | grounds or basis, with citation to the applicable ordinance or
56 | other legal authority, for the denial of the development permit.

57 | Section 4. This act shall take effect upon becoming a law.