

By Senator Bennett

21-1050-06

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A bill to be entitled

An act relating to independent special fire control districts; amending s. 191.008, F.S.; authorizing a district to recover court costs and attorney's fees in civil actions involving enforcement of the firesafety code; providing an effective date.

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

Section 1. Present subsections (5), (6), and (7) of section 191.008, Florida Statutes, are redesignated as subsections (6), (7), and (8), respectively, and a new subsection (5) is added to the section, to read:

191.008 Special powers.--Independent special fire control districts shall provide for fire suppression and prevention by establishing and maintaining fire stations and fire substations and acquiring and maintaining such firefighting and fire protection equipment deemed necessary to prevent or fight fires. All construction shall be in compliance with applicable state, regional, and local regulations, including adopted comprehensive plans and land development regulations. The board shall have and may exercise any or all of the following special powers relating to facilities and duties authorized by this act:

(5) Recover reasonable court costs, including attorney's fees, from the nonprevailing party in any civil action to enforce the provisions of chapter 553 or chapter 633 and this section concerning fire suppression and prevention and the enforcement of the firesafety code in which the special district is the prevailing party.

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Section 2. This act shall take effect July 1, 2006.

SENATE SUMMARY

Authorizes an independent special fire control district to recover certain court costs and attorney's fees when the district prevails in civil actions involving enforcement of the firesafety code.