

ENROLLED
 HB 73, Engrossed 1

2009 Legislature

1 A bill to be entitled
 2 An act relating to expedited permitting process for
 3 economic development projects; providing a short title;
 4 creating s. 380.0657, F.S.; requiring the Department of
 5 Environmental Protection and water management districts to
 6 adopt programs to expedite the processing of permits for
 7 certain economic development projects; providing an
 8 exception; requiring municipalities and counties to
 9 identify certain businesses by commission resolution;
 10 requiring a preapplication review; providing a timeframe
 11 for permit application approval or denial; providing that
 12 projects designated as target industry businesses and
 13 located in charter counties that meet certain criteria are
 14 eligible for expedited permitting; providing an effective
 15 date.

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

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 19 Section 1. This act may be cited as the "Mike McHugh Act."

20 Section 2. Section 380.0657, Florida Statutes, is created
 21 to read:

22 380.0657 Expedited permitting process for economic
 23 development projects.--

24 (1) The Department of Environmental Protection and, as
 25 appropriate, the water management districts created under
 26 chapter 373 shall adopt programs to expedite the processing of
 27 wetland resource and environmental resource permits for economic
 28 development projects that have been identified by a municipality

ENROLLED

HB 73, Engrossed 1

2009 Legislature

29 or county as meeting the definition of target industry
30 businesses under s. 288.106, with the exception of those
31 projects requiring approval by the Board of Trustees of the
32 Internal Improvement Trust Fund.

33 (2) A municipality or county shall provide an identified
34 business with a city or county commission resolution identifying
35 the business as a targeted industry business.

36 (3) A mandatory preapplication review process shall be
37 required to reduce permitting conflicts by providing guidance to
38 applicants regarding the permits needed from each agency and
39 governmental entity, site planning and development, site
40 suitability and limitations, facility design, and steps the
41 applicant can take to ensure expeditious permit application
42 review.

43 (4) A permit application shall be approved or denied
44 within 45 days after receipt of the original application, the
45 last item of timely requested additional material, or the
46 applicant's written request to begin processing the permit
47 application.

48 (5) Notwithstanding the provisions of this section, permit
49 applications for projects to be located in a charter county that
50 has a population of 1.2 million or more and has entered into a
51 delegation agreement with the Department of Environmental
52 Protection or the applicable water management district to
53 process environmental resource permits, wetland resource
54 management permits, or surface water management permits pursuant
55 to chapter 373 are eligible for expedited permitting under this
56 section only upon designation by resolution of the charter

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2009 Legislature

57 county's governing board. Before the governing board decides
58 that a project is eligible for expedited permitting, it may
59 require the county's economic development agency, or such other
60 agency that provides advice to the governing board on economic
61 matters, to review and recommend whether the project meets the
62 definition of a target industry business as defined in s.
63 288.106 and to identify the tangible benefits and impacts of the
64 project. The governing board's decision shall be made without
65 consideration of the project's geographic location within the
66 charter county. If the governing board designates the project as
67 a target industry business, the permit application for the
68 project shall be approved or denied within the timeframe
69 provided in subsection (4).

70 Section 3. This act shall take effect July 1, 2009.