

By the Committee on Commerce; and Senators Fasano and Gaetz

577-05001-09

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1 A bill to be entitled

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

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

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

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

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

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

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

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

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

44 (4) A permit application shall be approved or denied within  
45 45 days after receipt of the original application, the last item  
46 of timely requested additional material, or the applicant's  
47 written request to begin processing the permit 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  
57 county's governing board. Before the governing board decides  
58 that a project is eligible for expedited permitting, it may

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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  
64 the project. The governing board's decision shall be made  
65 without consideration of the project's geographic location  
66 within the charter county. If the governing board designates the  
67 project as a target industry business, the permit application  
68 for the 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.