

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Robaina offered the following:

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3 **Substitute Amendment to Amendment (980539) (with title**
4 **amendment)**

5 Remove lines 5-74 and insert:

6 Section 3. (1) Except as provided in subsection (4), a
7 development order issued by a local government, building permit,
8 permit issued by the Department of Environmental Protection, or
9 permit issued by a water management district pursuant to part IV
10 of chapter 373, Florida Statutes, which has an expiration date
11 from September 1, 2008, through January 1, 2012, is extended and
12 renewed for a period of 2 years following its previously
13 scheduled date of expiration. This 2-year extension also applies
14 to build-out dates including any extension of build-out date
15 that was granted previously under s. 380.06(19)(c), Florida
16 Statutes. This section does not prohibit conversion from the
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17 construction phase to the operation phase upon completion of
18 construction. This extension is in addition to a 2-year permit
19 extension under s. 14 of chapter 2009-96, Laws of Florida.

20 (2) The commencement and completion dates for any required
21 mitigation associated with a phased construction project are
22 extended such that mitigation takes place in the same timeframe
23 relative to the phase as originally permitted.

24 (3) The holder of a valid permit or other authorization
25 that is eligible for the 2-year extension must notify the
26 authorizing agency in writing by December 31, 2010, identifying
27 the specific authorization for which the holder intends to use
28 the extension and the anticipated timeframe for acting on the
29 authorization.

30 (4) The extension provided for in subsection (1) does not
31 apply to:

32 (a) A permit or other authorization under any programmatic
33 or regional general permit issued by the Army Corps of
34 Engineers.

35 (b) A permit or other authorization held by an owner or
36 operator determined to be in significant noncompliance with the
37 conditions of the permit or authorization as established through
38 the issuance of a warning letter or notice of violation, the
39 initiation of formal enforcement, or other equivalent action by
40 the authorizing agency.

41 (c) A permit or other authorization, if granted an
42 extension that would delay or prevent compliance with a court
43 order.

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44 (5) Permits extended under this section shall continue to
45 be governed by rules in effect at the time the permit was
46 issued, except if it can be demonstrated that the rules in
47 effect at the time the permit was issued would create an
48 immediate threat to public safety or health. This provision
49 applies to any modification of the plans, terms, and conditions
50 of the permit which lessens the environmental impact, except
51 that any such modification does not extend the time limit beyond
52 2 additional years.

53 (6) This section does not impair the authority of a county
54 or municipality to require the owner of a property that has
55 notified the county or municipality of the owner's intention to
56 receive the extension of time granted by this section to
57 maintain and secure the property in a safe and sanitary
58 condition in compliance with applicable laws and ordinances.

59 Section 4. Effective June 20, 2010, section 20.18, Florida
60 Statutes, is reenacted.

61 Section 5. Section 420.504, Florida Statutes, is
62 reenacted.

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T I T L E A M E N D M E N T

67 Remove lines 92-94 and insert:
68 Florida Housing Finance Corporation; providing effective dates.
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