



301684

LEGISLATIVE ACTION

Senate

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House

Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 121 and 122

insert:

Section 4. Section 166.033, Florida Statutes, is amended to read:

166.033 Development permits.—When a municipality denies an application for a development permit, the municipality shall give written notice to the applicant. The notice must include a citation to the applicable portions of an ordinance, rule, statute, or other legal authority for the denial of the permit. As used in this section, the term “development permit” has the same meaning as in s. 163.3164. A municipality may not require



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14 as a condition of processing a development permit that an
15 applicant obtain a permit or approval from any other state or
16 federal agency unless the agency has issued a notice of intent
17 to deny the federal or state permit before the municipal action
18 on the local development permit. Issuance of a development
19 permit by a municipality does not in any way create any right on
20 the part of an applicant to obtain a permit from another state
21 or federal agency and does not create any liability on the part
22 of the municipality for issuance of the permit if the applicant
23 fails to fulfill its legal obligations to obtain requisite
24 approvals or fulfill the obligations imposed by another state or
25 federal agency. A municipality may attach such a disclaimer to
26 the issuance of development permits and may include a permit
27 condition that all other applicable state or federal permits be
28 obtained before commencement of the development. This section
29 does not prohibit a municipality from providing information to
30 an applicant regarding what other state or federal permits may
31 apply.

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

36 And the title is amended as follows:

37 Delete line 25

38 and insert:

39 permit; amending s. 166.033, F.S.; prohibiting a
40 municipality from requiring an applicant to obtain a
41 permit or approval from another state or federal
42 agency as a condition of processing a development



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43 permit under certain conditions; authorizing a county
44 to attach certain disclaimers to the issuance of a
45 development permit; providing an effective date.