



345670

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/28/2012	.	
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The Committee on Budget (Bogdanoff) recommended the following:

Senate Amendment (with title amendment)

Between lines 4673 and 4674
insert:

Section 101. (1) Any building permit or any permit issued by the Department of Environmental Protection or by a water management district pursuant to part IV of chapter 373, Florida Statutes, which has an expiration date from January 1, 2012, through January 1, 2014, is extended and renewed for a period of 2 years after its previously scheduled date of expiration. This extension includes any local government-issued development order or building permit, including certificates of levels of service. This section does not prohibit conversion from the construction



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14 phase to the operation phase upon completion of construction.
15 This extension is in addition to any existing permit extension.
16 Extensions granted pursuant to this section; s. 14 of chapter
17 2009-96, Laws of Florida, as reauthorized by s. 47 of chapter
18 2010-147, Laws of Florida; s. 46 of chapter 2010-147, Laws of
19 Florida; or s. 74 or s. 79 of chapter 2011-139, Laws of Florida,
20 may not exceed 4 years in total. However, an extension of a
21 specific development order which was granted pursuant to s.
22 380.06(19)(c)2., Florida Statutes, may not be further extended
23 pursuant to this section.

24 (2) The commencement and completion dates for any required
25 mitigation associated with a phased construction project shall
26 be extended so that mitigation takes place in the same timeframe
27 relative to the phase as originally permitted.

28 (3) The holder of a valid permit or other authorization
29 that is eligible for the 2-year extension under subsection (1)
30 must provide the authorizing agency with written notice by
31 December 31, 2012, which identifies the specific authorization
32 for which the holder intends to use the extension and the
33 anticipated timeframe for acting on the authorization.

34 (4) The extension provided under subsection (1) does not
35 apply to:

36 (a) A permit or other authorization under any programmatic
37 or regional general permit issued by the United States Army
38 Corps of Engineers.

39 (b) A permit or other authorization held by an owner or
40 operator determined to be in significant noncompliance with the
41 conditions of the permit or authorization as established through
42 the issuance of a warning letter or notice of violation, the



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43 initiation of formal enforcement, or other equivalent action by
44 the authorizing agency.

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

47 (5) Permits extended under this section shall continue to
48 be governed by the rules in effect at the time the permit was
49 issued unless it is demonstrated that those rules would create
50 an immediate threat to public safety or health. This subsection
51 applies to any modification of the plans, terms, and conditions
52 of the permit which lessens the environmental impact, except
53 that any such modification may not extend the time limit beyond
54 2 additional years.

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

61 (7) An owner shall record a current and unexpired notice of
62 commencement in accordance with s. 713.13, Florida Statutes, for
63 any construction project commenced or recommenced under a
64 building permit extended pursuant to this section. The
65 contractor shall provide a copy of the current and unexpired
66 recorded notice of commencement to the permit authority before
67 an inspection is performed in compliance with s. 713.135(1)(b),
68 Florida Statutes.

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

71 And the title is amended as follows:



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72 Between lines 462 and 463
73 insert:
74 providing that certain building permits or permits
75 issued by the Department of Environmental Protection
76 or by a water management district are extended and
77 renewed for a specified period; requiring written
78 notification by the holder of an eligible permit;
79 providing exceptions; requiring that an owner record a
80 current and unexpired notice of commencement for any
81 construction project commenced or recommenced under an
82 extended building permit;