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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2012	.	
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The Committee on Budget Subcommittee on General Government Appropriations (Jones) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 1109 - 1110  
and insert:  
or s. 79 of chapter 2011-139, Laws of Florida, or section 25 of this act. This section applies retroactively and is effective as of June 2, 2011.

Section 25. (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



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13 2 years after its previously scheduled date of expiration. This  
14 extension includes any local government-issued development order  
15 or building permit, including certificates of levels of service.  
16 This section does not prohibit conversion from the construction  
17 phase to the operation phase upon completion of construction.  
18 This extension is in addition to any existing permit extension.  
19 Extensions granted pursuant to this section; s. 14 of chapter  
20 2009-96, Laws of Florida, as reauthorized by s. 47 of chapter  
21 2010-147, Laws of Florida; s. 46 of chapter 2010-147, Laws of  
22 Florida; or s. 74 or s. 79 of chapter 2011-139, Laws of Florida,  
23 may not exceed 4 years in total. Further, specific development  
24 order extensions granted pursuant to s. 380.06(19)(c)2., Florida  
25 Statutes, cannot be further extended by this section.

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

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

36 (4) The extension under subsection (1) does not apply to:

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

40 (b) A permit or other authorization held by an owner or  
41 operator determined to be in significant noncompliance with the



42 conditions of the permit or authorization as established through  
43 the issuance of a warning letter or notice of violation, the  
44 initiation of formal enforcement, or other equivalent action by  
45 the authorizing agency.

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

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

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

64  
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete line 133

68 and insert:

69 Florida, or the act; providing for retroactive  
70 application; providing that certain building permits



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71 or permits issued by the Department of Environmental  
72 Protection or by a water management district are  
73 extended and renewed for a specified period; requiring  
74 written notification by the holder of an eligible  
75 permit; providing exceptions; providing an effective  
76 date.