

1 A bill to be entitled
2 An act relating to growth management; amending s.
3 163.3167, F.S.; providing that an initiative or
4 referendum process for any development order is
5 prohibited; providing that an initiative or referendum
6 process for any local comprehensive plan amendments
7 and map amendments is prohibited; providing an
8 exception for an initiative or referendum process
9 specifically authorized by local government charter
10 provision in effect as of June 1, 2011, for certain
11 local comprehensive plan amendments and map
12 amendments; providing that certain charter provisions
13 for an initiative or referendum process are not
14 sufficient; providing legislative intent; providing
15 that certain prohibitions apply retroactively;
16 providing an effective date.

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

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20 Section 1. Subsection (8) of section 163.3167, Florida
21 Statutes, is amended to read:

22 163.3167 Scope of act.—

23 (8) (a) An initiative or referendum process in regard to
24 any development order ~~or in regard to any local comprehensive~~
25 ~~plan amendment or map amendment~~ is prohibited. ~~However, any~~
26 ~~local government charter provision that was in effect as of June~~
27 ~~1, 2011, for an initiative or referendum process in regard to~~
28 ~~development orders or in regard to local comprehensive plan~~

29 ~~amendments or map amendments may be retained and implemented.~~

30 (b) An initiative or referendum process in regard to any
31 local comprehensive plan amendment or map amendment is
32 prohibited. However, an initiative or referendum process in
33 regard to any local comprehensive plan amendment or map
34 amendment that affects more than five parcels of land is allowed
35 if it is expressly authorized by specific language in a local
36 government charter that was lawful and in effect on June 1,
37 2011; a general local government charter provision for an
38 initiative or referendum process is not sufficient.

39 (c) It is the intent of the Legislature that initiative
40 and referendum be prohibited in regard to any development order.
41 It is the intent of the Legislature that initiative and
42 referendum be prohibited in regard to any local comprehensive
43 plan amendment or map amendment, except as specifically and
44 narrowly permitted in paragraph (b) with regard to local
45 comprehensive plan amendments or map amendments that affect more
46 than five parcels of land. Therefore, the prohibition on
47 initiative and referendum stated in paragraphs (a) and (b) is
48 remedial in nature and applies retroactively to any initiative
49 or referendum process commenced after June 1, 2011, and any such
50 initiative or referendum process that has been commenced or
51 completed thereafter is hereby deemed null and void and of no
52 legal force and effect.

53 Section 2. This act shall take effect upon becoming a law.