

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Moraitis offered the following:

**Amendment (with title amendment)**

Between lines 74 and 75, insert:

Section 3. Subsection (8) of section 163.3167, Florida Statutes, is amended to read:

163.3167 Scope of act.—

(8) (a) An initiative or referendum process in regard to any development order ~~or in regard to any local comprehensive plan amendment or map amendment~~ is prohibited. ~~However, any local government charter provision that was in effect as of June 1, 2011, for an initiative or referendum process in regard to development orders or in regard to local comprehensive plan amendments or map amendments may be retained and implemented.~~

(b) An initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is

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17 prohibited. However, an initiative or referendum process in  
 18 regard to any local comprehensive plan amendment or map  
 19 amendment is allowed if it affects more than five parcels of  
 20 land and is expressly authorized by specific language in a local  
 21 government charter that was lawful and in effect on June 1,  
 22 2011; a general local government charter provision for an  
 23 initiative or referendum process is not sufficient.

24 (c) It is the intent of the Legislature that initiative  
 25 and referendum be prohibited in regard to any development order.  
 26 It is the intent of the Legislature that initiative and  
 27 referendum be prohibited in regard to any local comprehensive  
 28 plan amendment or map amendment, except as specifically and  
 29 narrowly permitted in paragraph (b) with regard to local  
 30 comprehensive plan amendments that affect more than five parcels  
 31 of land or map amendments that affect more than five parcels of  
 32 land. Therefore, the prohibition on initiative and referendum  
 33 stated in paragraphs (a) and (b) is remedial in nature and  
 34 applies retroactively to any initiative or referendum process  
 35 commenced after June 1, 2011, and any such initiative or  
 36 referendum process that has been commenced or completed  
 37 thereafter is hereby deemed null and void and of no legal force  
 38 and effect.

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**T I T L E   A M E N D M E N T**

42 Remove line 6 and insert:  
 43 development permits; amending s. 163.3167, F.S.;  
 44 providing that an initiative or referendum process for

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45 any development order is prohibited; providing that an  
46 initiative or referendum process for any local  
47 comprehensive plan amendments and map amendments is  
48 prohibited; providing an exception for an initiative  
49 or referendum process specifically authorized by local  
50 government charter provision in effect as of June 1,  
51 2011, for certain local comprehensive plan amendments  
52 and map amendments; providing that certain charter  
53 provisions for an initiative or referendum process are  
54 not sufficient; providing legislative intent;  
55 providing that certain prohibitions apply  
56 retroactively; amending s. 32, ch. 2012-205,