HB 1167

1 A bill to be entitled 2 An act relating to attorney fees and costs in property 3 rights disputes; creating s. 57.106, F.S.; defining terms; requiring courts to award reasonable attorney 4 5 fees and costs to a prevailing defendant in certain 6 civil actions under specified circumstances; providing 7 an effective date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 11 Section 1. Section 57.106, Florida Statutes, is created to 12 read: 57.106 Recovery of attorney fees and costs in certain 13 14 disputes regarding property rights.-(1) For the purposes of this section, the term: 15 16 (a) "Improvement" includes, but is not limited to, 17 anything done to increase the value, use, or benefit of real 18 property, whether physical, material, legal, or otherwise. 19 "Property rights" includes, but is not limited to, use (b) 20 rights, ingress and egress rights, and those rights incident to 21 land bordering upon navigable waters as described in s. 253.141. 22 (2) In a civil action brought against the owner of a 23 parcel of real property to resolve a dispute concerning property 24 rights, the court must award reasonable attorney fees and costs to the prevailing defendant if the improvements made to the 25

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CODING: Words stricken are deletions; words underlined are additions.

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- 26 property by the defendant property owner were made in
- 27 substantial compliance with, or in reliance on, environmental or
- 28 regulatory approvals or permits issued by a political
- 29 subdivision of the state or a state agency.
 - Section 2. This act shall take effect upon becoming a law.

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