

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative McClain offered the following:

Amendment (with title amendment)

Between lines 599 and 600, insert:

Section 8. Section 166.04152, Florida Statutes, is created to read:

166.04152 Final orders or decisions of locally established historic preservation boards or commissions.-

(1) Notwithstanding any local charter, ordinance, or regulation to the contrary, a final order or decision regarding historically significant property made by a locally established historic preservation board or commission, established pursuant to municipal charter or ordinance, may be appealed to the board of county commissioners of the county in which the municipality is located.

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17 (2) The board of county commissioners shall hold a public
18 hearing on the appeal within 30 days after receipt of notice of
19 the appeal.

20 (3) The board of county commissioners, after the public
21 hearing, may approve or reject the final order or decision. The
22 determination of the board of county commissions is final.

23 (4) This section is supplemental to all other remedies
24 available under general law.

25 (5) As used in this section, the term:

26 (a) "Historically significant property" means property
27 that is listed on the National Register of Historic Places
28 pursuant to the National Historic Preservation Act of 1966, or
29 is within and contributes to a registered historic district
30 pursuant to 26 U.S.C. s. 48(g) (3) (B), or has been found to meet
31 the criteria of historical significance of the Division of
32 Historical Resources of the Department of State, as certified by
33 the division or by a locally established historic preservation
34 board or commission, or like body, which has been granted
35 authority to designate the property by the jurisdiction within
36 which the property is located.

37 (b) "Historic preservation" has the same meaning as in s.
38 267.021 (8).

39 Section 9. Paragraph (dd) to subsection (1) of section
40 125.01, Florida Statutes, is added to read:

41 125.01 Powers and duties.—

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42 (1) The legislative and governing body of a county shall
43 have the power to carry on county government. To the extent not
44 inconsistent with general or special law, this power includes,
45 but is not restricted to, the power to:

46 (dd) Hear appeals of final orders or decisions of locally
47 established historic preservation boards or commissions as
48 provided in s. 166.04152.

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51 **T I T L E A M E N D M E N T**

52 Remove line 22 and insert:
53 cross-references; creating s. 166.04152, F.S.;
54 authorizing the appeal of a final order or decision
55 regarding historically significant property made by a
56 locally established historic preservation board or
57 commission to the board of county commissioners;
58 requiring a public hearing on the appeal within a
59 specified time; authorizing the board of county
60 commissions to approve or reject the final order
61 decision; providing that orders or decisions on appeal
62 are final; providing construction; providing
63 definitions; amending s. 125.01, F.S.; revising the
64 powers and duties of county commissions; providing
65 severability; providing an