

By the Committee on Community Affairs; and Senator Collins

578-03045-24

20241628c1

1                                   A bill to be entitled  
2           An act relating to local government actions; amending  
3           ss. 125.66, 125.675, 166.041, and 166.0411 F.S.;  
4           revising applicability provisions for the enactment or  
5           adoption of and legal challenges to county and  
6           municipal ordinances, respectively; providing an  
7           effective date.

8

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

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11           Section 1. Paragraph (c) of subsection (3) of section  
12           125.66, Florida Statutes, is amended to read:

13           125.66 Ordinances; enactment procedure; emergency  
14           ordinances; rezoning or change of land use ordinances or  
15           resolutions.—

16           (3)

17           (c) This subsection does not apply to:

18           1. Ordinances required for compliance with federal or state  
19           law or regulation;

20           2. Ordinances relating to the issuance or refinancing of  
21           debt;

22           3. Ordinances relating to the adoption of budgets or budget  
23           amendments, including revenue sources necessary to fund the  
24           budget;

25           4. Ordinances required to implement a contract or an  
26           agreement, including, but not limited to, any federal, state,  
27           local, or private grant, or other financial assistance accepted  
28           by a county government;

29           5. Emergency ordinances;

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30 6. Ordinances relating to procurement; or

31 7. Ordinances enacted to implement the following:

32 a. ~~Part II of chapter 163, relating to growth policy,~~  
33 ~~county and municipal planning, and land development regulation,~~  
34 ~~including zoning,~~ Development orders and development permits, as  
35 those terms are defined in s. 163.3164, and, development  
36 agreements, as authorized by the Florida Local Government  
37 Development Agreement Act under ss. 163.3220-163.3243 ~~and~~  
38 ~~development permits;~~

39 b. Sections 190.005 and 190.046;

40 c. Section 553.73, relating to the Florida Building Code;  
41 or

42 d. Section 633.202, relating to the Florida Fire Prevention  
43 Code.

44 Section 2. Subsection (5) of section 125.675, Florida  
45 Statutes, is amended to read:

46 125.675 Legal challenges to certain recently enacted  
47 ordinances.—

48 (5) This section does not apply to:

49 (a) Ordinances required for compliance with federal or  
50 state law or regulation;

51 (b) Ordinances relating to the issuance or refinancing of  
52 debt;

53 (c) Ordinances relating to the adoption of budgets or  
54 budget amendments, including revenue sources necessary to fund  
55 the budget;

56 (d) Ordinances required to implement a contract or an  
57 agreement, including, but not limited to, any federal, state,  
58 local, or private grant, or other financial assistance accepted

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59 by a county government;

60 (e) Emergency ordinances;

61 (f) Ordinances relating to procurement; or

62 (g) Ordinances enacted to implement the following:

63 1. ~~Part II of chapter 163, relating to growth policy,~~  
64 ~~county and municipal planning, and land development regulation,~~  
65 ~~including zoning,~~ Development orders and development permits, as  
66 those terms are defined in s. 163.3164, and, development  
67 agreements, as authorized by the Florida Local Government  
68 Development Agreement Act under ss. 163.3220-163.3243 ~~and~~  
69 ~~development permits;~~

70 2. Sections 190.005 and 190.046;

71 3. Section 553.73, relating to the Florida Building Code;

72 or

73 4. Section 633.202, relating to the Florida Fire Prevention  
74 Code.

75 Section 3. Paragraph (c) of subsection (4) of section  
76 166.041, Florida Statutes, is amended to read:

77 166.041 Procedures for adoption of ordinances and  
78 resolutions.—

79 (4)

80 (c) This subsection does not apply to:

81 1. Ordinances required for compliance with federal or state  
82 law or regulation;

83 2. Ordinances relating to the issuance or refinancing of  
84 debt;

85 3. Ordinances relating to the adoption of budgets or budget  
86 amendments, including revenue sources necessary to fund the  
87 budget;

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88 4. Ordinances required to implement a contract or an  
89 agreement, including, but not limited to, any federal, state,  
90 local, or private grant, or other financial assistance accepted  
91 by a municipal government;

92 5. Emergency ordinances;

93 6. Ordinances relating to procurement; or

94 7. Ordinances enacted to implement the following:

95 a. ~~Part II of chapter 163, relating to growth policy,~~  
96 ~~county and municipal planning, and land development regulation,~~  
97 ~~including zoning,~~ Development orders and development permits, as  
98 those terms are defined in s. 163.3164, and, development  
99 agreements, as authorized by the Florida Local Government  
100 Development Agreement Act under ss. 163.3220-163.3243 and  
101 ~~development permits;~~

102 b. Sections 190.005 and 190.046;

103 c. Section 553.73, relating to the Florida Building Code;  
104 or

105 d. Section 633.202, relating to the Florida Fire Prevention  
106 Code.

107 Section 4. Subsection (5) of section 166.0411, Florida  
108 Statutes, is amended to read:

109 166.0411 Legal challenges to certain recently enacted  
110 ordinances.—

111 (5) This section does not apply to:

112 (a) Ordinances required for compliance with federal or  
113 state law or regulation;

114 (b) Ordinances relating to the issuance or refinancing of  
115 debt;

116 (c) Ordinances relating to the adoption of budgets or

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117 budget amendments, including revenue sources necessary to fund  
118 the budget;

119 (d) Ordinances required to implement a contract or an  
120 agreement, including, but not limited to, any federal, state,  
121 local, or private grant, or other financial assistance accepted  
122 by a municipal government;

123 (e) Emergency ordinances;

124 (f) Ordinances relating to procurement; or

125 (g) Ordinances enacted to implement the following:

126 1. ~~Part II of chapter 163, relating to growth policy,~~  
127 ~~county and municipal planning, and land development regulation,~~  
128 ~~including zoning,~~ Development orders and development permits, as  
129 those terms are defined in s. 163.3164, and, development  
130 agreements, as authorized by the Florida Local Government  
131 Development Agreement Act under ss. 163.3220-163.3243 ~~and~~  
132 ~~development permits;~~

133 2. Sections 190.005 and 190.046;

134 3. Section 553.73, relating to the Florida Building Code;

135 or

136 4. Section 633.202, relating to the Florida Fire Prevention  
137 Code.

138 Section 5. This act shall take effect October 1, 2024.