

By Senator Martin

33-00717-24

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1 A bill to be entitled
2 An act relating to attorney fees and costs; creating
3 s. 57.106, F.S.; defining the term "property rights";
4 requiring courts to award reasonable attorney fees and
5 costs to a prevailing defendant in certain civil
6 actions under specified circumstances; providing an
7 effective date.

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

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11 Section 1. Section 57.106, Florida Statutes, is created to
12 read:

13 57.106 Recovery of attorney fees and costs in certain
14 disputes regarding property rights.-

15 (1) For the purposes of this section, the term "property
16 rights" includes, but is not limited to, use rights, ingress and
17 egress rights, and those rights incident to land bordering upon
18 navigable waters as described in s. 253.141.

19 (2) In a civil action brought against the owner of a parcel
20 of real property to resolve a dispute concerning property
21 rights, the court must award reasonable attorney fees and costs
22 to the prevailing defendant if the improvements made to the
23 property by the defendant property owner were made in
24 substantial compliance with, or in reliance on, environmental or
25 regulatory approvals or permits issued by a political
26 subdivision of the state or a state agency.

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