

1 A bill to be entitled
2 An act relating to local governments enforcement
3 actions; creating ss. 125.676, 166.0413, and 189.0645,
4 F.S.; providing legislative findings and intent;
5 prohibiting certain enforcement actions by counties,
6 municipalities, and special districts; defining the
7 term "enforcement action"; authorizing persons or
8 business entities subject to such actions to submit a
9 request for review; requiring counties,
10 municipalities, and special districts to review such
11 actions and respond within a specified time period;
12 requiring counties, municipalities, and special
13 districts to establish and maintain rules; authorizing
14 filing of legal action and providing legal remedies in
15 certain circumstances; requiring that such action be
16 filed within a specified time period; providing for
17 certain protections from retaliation; authorizing
18 filing of certain complaints in specified
19 circumstances; providing for preemption; providing an
20 effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 **Section 1.. Section 125.676, Florida Statutes, is created**
25 **to read:**

26 125.676 Local Government Regulatory Accountability Act.—

27 (1) LEGISLATIVE FINDINGS AND INTENT.—

28 (a) The Legislature finds that the economic vitality of
29 this state depends on fair, consistent, and transparent
30 enforcement of local government and special district
31 regulations.

32 (b) The Legislature further finds that arbitrary or
33 unreasonable enforcement action by a local government or special
34 district, or employees thereof, may impede economic growth,
35 increase costs for housing and business development, and
36 undermine public trust.

37 (c) It is the intent of the Legislature to establish a
38 uniform standard for regulatory enforcement and create an
39 investigative process and certain legal remedies for a person or
40 business entity subject to an enforcement action under this
41 section.

42 (2) ACTION PROHIBITED.—A county, including employees
43 thereof, may not initiate or threaten to initiate any
44 enforcement action that is determined to be arbitrary or
45 unreasonable by a court of competent jurisdiction. For purposes
46 of this section, an "enforcement action" means any decision,
47 determination, demand, inspection, citation, order, denial,
48 interpretation, or any other regulatory action undertaken by a
49 county or employees thereof.

50 (3) PROCEDURES IN RESPONSE TO PROHIBITED ACTION.—

51 (a) Any person or business entity subject to an
52 enforcement action may submit a request for review of such
53 action. Within 30 days after receipt of a request for review,
54 the county must review the enforcement action and send to the
55 person or business entity making such request a written
56 response.

57 (b) If a county fails to review and respond to a request
58 within the designated time period under paragraph (a), the
59 person or business entity subject to an enforcement action may
60 file a legal action under subsection (4).

61 (c) Each county shall establish and maintain rules
62 addressing the review of enforcement actions under this
63 subsection.

64 (4) LEGAL ACTION AND REMEDIES.—

65 (a) A person or business entity subject to an enforcement
66 action by a county may file in a court of competent jurisdiction
67 a legal action to determine whether such action is arbitrary or
68 unreasonable. Such action must be filed within 180 days after
69 the enforcement action. For purposes of this subsection, an
70 enforcement action is arbitrary or unreasonable if the action:

71 1. Is not supported by applicable law, rule, or adopted
72 policy;

73 2. Deviates from a prior determination or interpretation
74 without written justification;

75 3. Unreasonably delays or obstructs lawful development,

76 permitting, or other business activity; or

77 4. Imposes requirements or conditions not authorized by
78 general law, ordinance, or regulation.

79 (b) Upon finding that an enforcement action is arbitrary
80 or unreasonable, the court shall:

81 1. Award reasonable attorney fees and costs to the
82 prevailing plaintiff.

83 2. Award actual damages not to exceed \$50,000 per
84 occurrence.

85 3. Issue injunctive relief to immediately restrain or
86 enjoin the county, including employees thereof, from engaging in
87 any action in violation of this section.

88 (5) WHISTLE-BLOWER PROTECTION.—

89 (a) Any person or employee who discloses in good faith
90 information under this section relating to an arbitrary or
91 unreasonable enforcement action is not subject to retaliation
92 and is afforded protection under the Whistle-blower's Act.

93 (b) A prevailing plaintiff in a legal action under
94 subsection (4) may file a complaint in accordance with s.
95 112.31895.

96 (6) PREEMPTION.—This section is the sole authority for
97 challenges to arbitrary or unreasonable enforcement actions by a
98 county, including employees thereof. Any local ordinance, rule,
99 regulation, or other local policy that prohibits or restricts a
100 county, including employees thereof, from complying with this

101 section, or any rules adopted under this section, is void to the
102 extent of the conflict.

103 **Section 2. Section 166.0413, Florida Statutes, is created**
104 **to read:**

105 166.0413 Local Government Regulatory Accountability Act.—

106 (1) LEGISLATIVE FINDINGS AND INTENT.—

107 (a) The Legislature finds that the economic vitality of
108 this state depends on fair, consistent, and transparent
109 enforcement of local government and special district
110 regulations.

111 (b) The Legislature further finds that arbitrary or
112 unreasonable enforcement action by a local government or special
113 district, or employees thereof, may impede economic growth,
114 increase costs for housing and business development, and
115 undermine public trust.

116 (c) It is the intent of the Legislature to establish a
117 uniform standard for regulatory enforcement and create an
118 investigative process and certain legal remedies for a person or
119 business entity subject to an enforcement action under this
120 section.

121 (2) ACTION PROHIBITED.—A municipality, including employees
122 thereof, may not initiate or threaten to initiate any
123 enforcement action that is determined to be arbitrary or
124 unreasonable by a court of competent jurisdiction. For purposes
125 of this section, an "enforcement action" means any decision,

126 determination, demand, inspection, citation, order, denial,
127 interpretation, or any other regulatory action undertaken by a
128 municipality or employees thereof.

129 (3) PROCEDURES IN RESPONSE TO PROHIBITED ACTION.—

130 (a) Any person or business entity subject to an
131 enforcement action may submit a request for review of such
132 action. Within 30 days after receipt of a request for review,
133 the municipality must review the enforcement action and send to
134 the person or business entity making such request a written
135 response.

136 (b) If a municipality fails to review and respond to a
137 request within the designated time period under paragraph (a),
138 the person or business entity subject to an enforcement action
139 may file a legal action under subsection (4).

140 (c) Each municipality shall establish and maintain rules
141 addressing the review of enforcement actions under this
142 subsection.

143 (4) LEGAL ACTION AND REMEDIES.—

144 (a) A person or business entity subject to an enforcement
145 action by a municipality may file in a court of competent
146 jurisdiction a legal action to determine whether such action is
147 arbitrary or unreasonable. Such action must be filed within 180
148 days after the enforcement action. For purposes of this
149 subsection, an enforcement action is arbitrary or unreasonable
150 if the action:

151 1. Is not supported by applicable law, rule, or adopted
152 policy;

153 2. Deviates from a prior determination or interpretation
154 without written justification;

155 3. Unreasonably delays or obstructs lawful development,
156 permitting, or other business activity; or

157 4. Imposes requirements or conditions not authorized by
158 general law, ordinance, or regulation.

159 (b) Upon finding that an enforcement action is arbitrary
160 or unreasonable, the court shall:

161 1. Award reasonable attorney fees and costs to the
162 prevailing plaintiff.

163 2. Award actual damages not to exceed \$50,000 per
164 occurrence.

165 3. Issue injunctive relief to immediately restrain or
166 enjoin the municipality, including employees thereof, from
167 engaging in any action in violation of this section.

168 (5) WHISTLE-BLOWER PROTECTION.—

169 (a) Any person or employee who discloses in good faith
170 information under this section relating to an arbitrary or
171 unreasonable enforcement action is not subject to retaliation
172 and is afforded protection under the Whistle-blower's Act.

173 (b) A prevailing plaintiff in a legal action under
174 subsection (4) may file a complaint in accordance with s.
175 112.31895.

176 (6) PREEMPTION.—This section is the sole authority for
177 challenges to arbitrary or unreasonable enforcement actions by a
178 municipality, including employees thereof. Any local ordinance,
179 rule, regulation, or other local policy that prohibits or
180 restricts a municipality, including employees thereof, from
181 complying with this section, or any rules adopted under this
182 section, is void to the extent of the conflict.

183 **Section 3. Section 189.0645, Florida Statutes, is created**
184 **to read:**

185 189.0645 Special District Regulatory Accountability Act.--

186 (1) LEGISLATIVE FINDINGS AND INTENT.—

187 (a) The Legislature finds that the economic vitality of
188 this state depends on fair, consistent, and transparent
189 enforcement of local government and special district
190 regulations.

191 (b) The Legislature further finds that arbitrary or
192 unreasonable enforcement action by a local government or special
193 district, or employees thereof, may impede economic growth,
194 increase costs for housing and business development, and
195 undermine public trust.

196 (c) It is the intent of the Legislature to establish a
197 uniform standard for regulatory enforcement and create an
198 investigative process and certain legal remedies for a person or
199 business entity subject to an enforcement action under this
200 section.

201 (2) ACTION PROHIBITED.—A special district, including
202 employees thereof, may not initiate or threaten to initiate any
203 enforcement action that is determined to be arbitrary or
204 unreasonable by a court of competent jurisdiction. For purposes
205 of this section, an "enforcement action" means any decision,
206 determination, demand, inspection, citation, order, denial,
207 interpretation, or any other regulatory action undertaken by a
208 special district or employees thereof.

209 (3) PROCEDURES IN RESPONSE TO PROHIBITED ACTION.—

210 (a) Any person or business entity subject to an
211 enforcement action may submit a request for review of such
212 action. Within 30 days after receipt of a request for review,
213 the special district must review the enforcement action and send
214 to the person or business entity making such request a written
215 response.

216 (b) If a special district fails to review and respond to a
217 request within the designated time period under paragraph (a),
218 the person or business entity subject to an enforcement action
219 may file a legal action under subsection (4).

220 (c) Each special district shall establish and maintain
221 rules addressing the review of enforcement actions under this
222 subsection.

223 (4) LEGAL ACTION AND REMEDIES.—

224 (a) A person or business entity subject to an enforcement
225 action by a special district may file in a court of competent

jurisdiction a legal action to determine whether such action is
arbitrary or unreasonable. Such action must be filed within 180
days after the enforcement action. For purposes of this
subsection, an enforcement action is arbitrary or unreasonable
if the action:

1. Is not supported by applicable law, rule, or adopted
policy;

2. Deviates from a prior determination or interpretation
without written justification;

3. Unreasonably delays or obstructs lawful development,
permitting, or other business activity; or

4. Imposes requirements or conditions not authorized by
general law, ordinance, or regulation.

(b) Upon finding that an enforcement action is arbitrary
or unreasonable, the court shall:

1. Award reasonable attorney fees and costs to the
prevailing plaintiff.

2. Award actual damages not to exceed \$50,000 per
occurrence.

3. Issue injunctive relief to immediately restrain or
enjoin the special district, including employees thereof, from
engaging in any action in violation of this section.

(5) WHISTLE-BLOWER PROTECTION.—

(a) Any person or employee who discloses in good faith
information under this section relating to an arbitrary or

251 unreasonable enforcement action is not subject to retaliation
252 and is afforded protection under the Whistle-blower's Act.

253 (b) A prevailing plaintiff in a legal action under
254 subsection (4) may file a complaint in accordance with s.
255 112.31895.

256 (6) PREEMPTION.—This section is the sole authority for
257 challenges to arbitrary or unreasonable enforcement actions by a
258 special district, including employees thereof. Any local
259 ordinance, rule, regulation, or other local policy that
260 prohibits or restricts a special district, including employees
261 thereof, from complying with this section, or any rules adopted
262 under this section, is void to the extent of the conflict.

263 **Section 4.** This act shall take effect October 1, 2026.