

CHAPTER 2021-179

Committee Substitute for Committee Substitute for Senate Bill No. 912

An act relating to land use and development; amending s. 252.363, F.S.; tolling and extending the expiration of specified consumptive use water permits and development permits and agreements during a natural emergency declared by the Governor; providing retroactive applicability; amending s. 56 of chapter 2017-36, Laws of Florida; extending the time period for local governments to administer local incentive programs for projects within certain enterprise zone boundaries; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 252.363, Florida Statutes, is amended to read:

252.363 Tolling and extension of permits and other authorizations.—

(1)(a) The declaration of a state of emergency issued by the Governor for a natural emergency tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following:

1. The expiration of a development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. Permits issued by the Department of Environmental Protection or a water management district pursuant to part II of chapter 373 for land subject to a development agreement under ss. 163.3220-163.3243 in which the permittee and the developer are the same or a related entity.
5. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted as specified in s. 380.06(7)(c).
6. The expiration of a development permit or development agreement authorized by Florida Statutes, including those authorized under the Florida Local Government Development Agreement Act, or issued by a local government or other governmental agency.

Section 2. This act applies retroactively to any declaration of a state of emergency issued by the Governor for a natural emergency on or after March 1, 2020.

Section 3. Section 56 of chapter 2017-36, Laws of Florida, is amended to read:

Section 56. Notwithstanding s. 290.016, Florida Statutes, enterprise zone boundaries in existence before December 31, 2015, are preserved for the purpose of allowing local governments to administer local incentive programs within these boundaries through December 31, 2021 ~~2020~~, except for eligible contiguous multi-phase projects in which at least one certificate of use or occupancy has been issued before December 31, 2021 ~~2020~~, and which project will then vest the remaining project phases until completion, but no later than December 31, 2025.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.