



The Florida Department of Community Affairs (“DCA”) recently concluded the last of over twenty public forums which were held throughout the state to provide developers, planners, local government officials and others an opportunity to comment on the impending reform to growth management. Many urged consideration of measures to streamline local government comprehensive planning and developments of regional impact (“DRIs”). Numerous proposals are now surfacing in Tallahassee in the 2000 Legislature.

It is likely that further reform will occur in phases over the next two legislative sessions.

Senator Tom Lee’s (R-Tampa) Senate Bill (“SB”) 758 which proposes a study commission to analyze a major restructuring of Chapters 163 and 380, Florida Statutes, and related rules and regulations is a good bet to pass the Florida Legislature this year. If the study commission bill does not pass, look for Governor Jeb Bush to organize his own study commission. Broad and Cassel will play an active role in advocating positive changes to the growth management laws through the work of the commission. Please contact us with your ideas or if you are interested in serving.

The coming year presents a real opportunity to improve the quality of life for all Floridians to

“plan” for future growth rather than support an overly bureaucratic process.

While SB 758 is poised for approval by the full Senate, the companion House Bill (“HB”) 693 is taking a slower course as leaders in the House are contemplating more substantive revisions to the laws governing local government comprehensive plans and DRIs. DCA is developing a substantive package as well as in promoting changes. Please contact us if you are interested in the details of the proposed revisions.

HB 139 by Representative George Albright (R-Ocala) proposes a review of the DRI process. It is likely that the concepts contained in HB 139 will evolve into a DCA growth management reform bill this session - possibly combined with HB 693 relating to the study commission.

Similarly, HB 659 by Representative J.D. Alexander (R-Winter Haven) has not yet been heard in committee. HB 659 proposes to modify the Bert J. Harris Act to provide relief for “[a]ny action brought by a governmental entity which decreases or modifies the density, intensity, or use of areas of development below the equivalent of one residence for every five acres.” Unlike the House, the bill does not appear to be a priority for the State Senate.

The SLAPP suit bill (HB 135) by Representatives Mike Fasano (R-New Port Richey) and Chris Hart (R-Tampa) which attempts to discourage the use of litigation against citizens, has passed out of committee in the House while its companion CS/SB 306 is pending in Senate committee.

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