

HB503 May Affect Permits Scheduled to Expire

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HB503: Florida Legislature Adopts Additional Two-Year Extension for Permits and Local Development Orders; Refund of Fees Charged by Local Governments for Prior Extensions

On March 8, 2012, the Florida Legislature adopted HB503 (The "Bill"), introducing a number of amendments to existing laws related to environmental regulation and real estate development.

The Bill now awaits the signature of the Governor. If adopted into law, it will take effect July 1, 2012.

If you have a current permit or development order which is scheduled to expire between January 1, 2012 and January 1, 2014, or if you were previously charged a fee for a state permit extension in the past year, you may be affected by The Bill.

Additional Two-Year Extension

Among other provisions, Section 24 of The Bill provides a two-year extension for any permit issued by the Florida Department of Environmental Protection (FDEP), a water management district, or any local government-issued building permit or development order - including certificates of level of service. This two-year extension applies to permits and development orders which expire between January 1, 2012 and January 1, 2014.

This extension is in addition to any existing permit extension. However, when combined with past extensions granted by the Legislature in 2009, 2010, or 2011, the total extension available to any permit or development order is four years.

Prohibition on Fees Charged for Extension in 2011 or 2012

Additionally, Section 23 of HB503 prohibits local governments from charging a fee associated with the two-year extension under The Bill - or under section 73 or section 79 of chapter 2011-139, Laws of Florida - these provided a two-year extension for building permits and development orders (Section 73); and a four-year extension for DRI buildout dates (Section 79). This applies retroactively to June 2, 2011.