

**DCA'S STATEMENT REGARDING  
PERMIT EXTENSIONS UNDER SENATE BILL 360**

Section 14(1) of SB 360 provides in part as follows:

Except as provided in subsection (4), and in recognition of 2009 real estate market conditions, any permit issued by the Department of Environmental Protection or a water management district pursuant to Part IV of Chapter 373, Florida Statutes, that has an expiration date of September 1, 2008, through January 1, 2012, is extended and renewed for a period of two years following its date of expiration. This extension includes any local government-issued development order or building permit. The two-year extension also applies to build-out dates including any build-out date extension previously granted under s. 380.06(19)(c), Florida Statutes.

The Department has received numerous inquiries about the agency's interpretation of the above-quoted provisions. The extension of permits issued by the Department of Environmental Protection, water management districts, and local governments for non-DRI related development orders and building permits are not within the jurisdiction of the Department of Community Affairs. Accordingly, the Department has no authority to issue binding interpretations of the statutory language pertaining to permits issued by those agencies. Local governments will have to determine the scope of the statutory extension for local government-issued development orders or building permits except for those that pertain to developments of regional impact.

The Department of Community Affairs does have jurisdiction over local development orders that pertain to DRIs, including local actions which approve extension of build-out dates pursuant to s. 380.06(19)(c), Florida Statutes. The Department interprets the above-quoted statutory provisions as granting a two-year extension of the expiration date and build-out date for any local government-issued DRI development order and related building permits which have an expiration date of September 1, 2008, through January 1, 2012.

Secretary Tom Pelham  
June 16, 2009