



TREASURE COAST REGIONAL PLANNING COUNCIL
INDIAN RIVER - ST. LUCIE - MARTIN - PALM BEACH

May 17, 2019

Governor Ron DeSantis
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399

Re: House Bill 7103

Dear Governor DeSantis:

At their meeting on May 17, 2019, the Treasure Coast Regional Planning Council discussed recently adopted House Bill 7103 which has not yet been signed into law. The Council directed that this letter be sent to you asking that the bill be vetoed. A key component in implementing local comprehensive plans is the requirement that all development orders are consistent with the plan, and challenging the consistency of approvals in court is a mechanism to ensure the comprehensive plan is effective. Council was concerned with the negative impacts on the Region that could result from the new barrier to consistency challenges created in the Bill: mandating that the losing party pay the prevailing party's legal fees.

The hazard of having to pay the other side's legal fees in addition to their own will deter affected citizens, small jurisdictions, and applicants who are not well-funded from challenging local decisions on development projects, even if they believe they can demonstrate the decision was improper.

The far-reaching implications of this change did not have an opportunity for vetting or public input since the amendment that introduced these provisions into House Bill 7103 did not go through committee review and was put forth only a few days before the end of the session.

In conclusion, the Council respectfully requests that you veto House Bill 7103.

Sincerely yours,



Thomas J. Lanahan
Executive Director

cc: TCRPC Council members

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