

CHAPTER 2017-3

Senate Bill No. 502

An act relating to the Florida Statutes; amending ss. 102.031, 106.24, 120.595, 190.046, 212.08, 215.555, 215.619, 215.985, 253.034, 288.9936, 316.003, 316.545, 316.613, 320.08, 322.121, 373.042, 373.414, 373.4592, 373.707, 376.3071, 393.18, 393.501, 394.461, 400.925, 402.3025, 409.9201, 413.207, 413.402, 440.185, 459.022, 491.0046, 497.458, 499.015, 499.036, 499.83, 553.79, 571.24, 625.111, 627.0629, 627.42392, 627.6562, 627.7074, 633.216, 655.960, 744.20041, 790.065, 832.07, 893.0356, 893.13, 921.0022, 932.7055, 1002.385, 1003.42, 1006.195, 1012.796, and 1013.40, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; providing an effective date.

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

Section 3. Paragraph (a) of subsection (4) of section 120.595, Florida Statutes, is amended to read:

120.595 Attorney's fees.—

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(a) If the appellate court or administrative law judge determines that all or part of an agency statement violates s. 120.54(1)(a), or that the agency must immediately discontinue reliance on the statement and any substantially similar statement pursuant to s. ~~120.56(4)(f)~~ ~~120.56(4)(e)~~, a judgment or order shall be entered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that the statement is required by the Federal Government to implement or retain a delegated or approved program or to meet a condition to receipt of federal funds.

Reviser's note.—Amended to conform to the redesignation of s. 120.56(4)(e) as s. 120.56(4)(f) by s. 3, ch. 2016-116, Laws of Florida.

* * *

Section 57. Except as otherwise provided by this act, this act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

Approved by the Governor April 5, 2017.

Filed in Office Secretary of State April 5, 2017.