



2019-2020 General Assembly

HOUSE BILL 1105: Coronavirus Relief Act 3.0, Sec. 3.21: Reextend Certain Local Government Approvals Affecting the Development of Real Property Within the State

Committee:		Date:	October 15, 2020
Introduced by:		Prepared by:	Brad Krehely
Analysis of:	Sec. 3.21 of S.L. 2020-97		Staff Attorney

OVERVIEW: Section 3.21 of S.L. 2020-97 provides that for any development approval that is current and valid at any point from September 2, 2020, and ending 30 days after Executive Order No. 116 is rescinded, the expiration date of the period of the development approval and any associated vested right is automatically extended 120 days from the expiration date. For any development approval that is extended, the holder of the development approval must do all of the following:

- Comply with all applicable laws and policies in effect at the time the development approval was originally issued.
- Maintain all performance guarantees that are imposed as a condition of the initial development approval for the duration of the period the development approval is extended or until affirmatively released from that obligation by the governmental entity.
- Complete any necessary infrastructure to obtain a certificate of occupancy or other final permit approval by the governmental entity.

Failure to comply with any condition in this section may result in termination of the extension of the development approval. Termination of an extension of a development approval may be appealed to the Board of Adjustment if the development approval was issued by a unit of local government with planning authority.

This section became effective September 4, 2020, and expires 30 days after Executive Order No. 116 is rescinded.

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