A bill to be entitled
An act relating to takings claims within areas of
critical state concern; creating s. 380.0501, F.S.;
providing for the apportionment of awards of damages
for takings claims within areas of critical state
concern; providing an effective date.

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

Section 1. Section 380.0501, Florida Statutes, is created
to read:

380.0501 Apportionment of awards of damages for takings
claims within an area of critical state concern.—
(1) In any proceeding brought pursuant to chapter 70, any
claim for inverse condemnation, or any other property-rights
related action for compensation in which the state is named as a
codefendant with a local government located in an area of
critical state concern or named as a third-party defendant by a
local government located in an area of critical state concern,
the court shall require the state and the local government to
equally pay any award of compensation, costs, attorney fees, and
prejudgment interest to the property owner if:
(a) The court has found liability against both the state
and the local government;
(b) The regulation restricting development or use of the
property was mandated or approved by the state land planning agency or the Administration Commission under s. 380.05; or

(c) The regulation restricting development or use of the property adopted by the local government was necessary for the local government to comply with the principles for guiding development established for the area or other obligations under the area of critical state concern designation.

(2) Notwithstanding s. 11.066 or s. 7, chapter 2006-223, Laws of Florida, the court shall enter separate judgments for the apportioned amount against the state and local government.

(3) A governmental entity named as a judgment debtor in a judgment entered under this section is only liable for postjudgment interest on the judgment entered against it and is not liable for postjudgment interest on the judgment entered against the other governmental entity. This section does not prohibit a court from awarding a separate judgment for attorney fees and costs pursuant to the limitations set forth in this section.

Section 2. This act shall take effect July 1, 2019.