

**STATE OF FLORIDA
DEPARTMENT OF COMMERCE**

IN RE:

EMERGENCY FINAL ORDER
RELATING TO THE
SUSPENSION OF STATUTES
AND RULES REGARDING
PROCUREMENTS IN
RESPONSE TO HURRICANE
IDALIA

COMMERCE FINAL ORDER NO.: COM-23-030

EMERGENCY FINAL ORDER

WHEREAS, on August 26, 2023, by State of Florida Executive Order No. 23-171 (“Executive Order 23-171”), the Governor of the State of Florida declared a state of emergency for several counties in Florida based upon the serious threat to the public health, safety, and welfare posed by Invest 93L; and

WHEREAS, on August 28, 2023, the Governor issued Executive Order No. 23-172, amending Executive Order 23-171, by adding coastal and inland counties in Central and North Florida to the state of emergency and declaring that Invest 93L strengthened into Tropical Storm Idalia; and

WHEREAS, on August 29, 2023, the Governor issued Executive Order Nos. 23-174 and 23-175, amending Executive Order 23-171, by adding additional counties to the state of emergency and declaring that Tropical Storm Idalia strengthened into Hurricane Idalia; and

WHEREAS, Section 4.B. of Executive Order 23-171 gives each state agency the authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the Department of Commerce’s timely performance of emergency response functions related to Hurricane Idalia as assigned by the State Coordinating Officer would be hindered by the application of certain procedures imposed by statute, rule, or order.

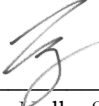
NOW THEREFORE, I, J. ALEX KELLY, Secretary of the Department of Commerce, pursuant to the authority granted by Section 4.B. of Executive Order 23-171, find that strict compliance with the following regulatory statutes would prevent, hinder, or delay any necessary action in coping with the emergency, and therefore, I hereby:

1. Toll, until October 25, 2023, unless extended by subsequent order, all time requirements applicable to the process for the adoption of comprehensive plan amendments as set forth in section 163.3184, Florida Statutes, for the counties listed in Executive Order Nos. 23-171, 23-172, 23-174, and 23-175.
2. Toll, until October 25, 2023, unless extended by subsequent order, all time requirements applicable to the submission, review, and determination process for the revitalization of a homeowners’ association’s declaration of covenants as set forth in section 720.406, Florida Statutes, for the counties listed in Executive Order Nos. 23-171, 23-172, 23-174, and 23-175.

This Emergency Order is effective immediately upon execution by the Secretary and shall expire on October 25, 2023, unless modified or extended by further order.

DONE AND ORDERED on this 31st day of August, 2023, in Tallahassee, Florida.

Florida Department of Commerce



J. Alex Kelly, Secretary
107 E. Madison St.
Tallahassee, Florida 32399

Filed on this 31st day of August, 2023, with the designated Agency Clerk,
receipt of which is hereby acknowledged.



Agency Clerk

NOTICE OF RIGHT TO APPEAL

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION UNDER CHAPTER 120, FLORIDA STATUTES. A PARTY WHO IS ADVERSELY AFFECTED BY FINAL AGENCY ACTION IS ENTITLED TO JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(B)(1)(c) AND 9.110.

TO INITIATE JUDICIAL REVIEW OF THIS FINAL AGENCY ACTION, A NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DATE THE FINAL AGENCY ACTION WAS FILED BY THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22, FLORIDA STATUTES. A COPY OF THE NOTICE OF APPEAL MUST ALSO BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 107 EAST MADISON STREET, CALDWELL BUILDING, MSC 110, TALLAHASSEE, FLORIDA 32399-4128, AGENCY.CLERK@COMMERCE.FL.GOV. A DOCUMENT IS FILED WHEN IT IS RECEIVED. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(A).

AN ADVERSELY AFFECTED PARTY WAIVES THE RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH BOTH THE DEPARTMENT'S AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.