

# Hall of the House of Representatives

## 94th General Assembly - Regular Session, 2023

### Amendment Form

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Subtitle of House Bill No. 1207

TO CREATE THE FAST-TRACK PERMITS ACT.

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#### Amendment No. 1 to House Bill 1207

Amend House Bill No. 1207 as originally introduced:

Page 1, delete lines 30 through 32, and substitute the following:

"(1) Enhance economic growth in local communities;  
(2) Reduce the regulatory burden on entrepreneurs, developers,  
and homeowners by streamlining the issuance of local permits; and  
(3) Ensure local governments and local government utilities are  
able to process permit applications in a reasonable manner.

AND

Page 2, delete lines 2 through 8, and substitute the following:

"request for permit;

(2) "Local governing body" means a group of persons elected or  
appointed to make decisions for or recommendations to one (1) or more local  
government;

(3) "Local government" means a municipality, county, or other  
political subdivision of this state;

(4) "Local government official" means an employee of a local  
government who is lawfully authorized to issue a permit;

(5) "Person" means an individual, corporation, limited liability  
company, partnership, association, trust, or other entity or organization  
that can sue or be sued; and

(6) "Request for permit" means a request for a local government  
official's approval of a permit related to the development of a residential,  
multifamily, commercial, or industrial improvement within the jurisdiction of  
a local government."

AND

Page 2, delete lines 12 through 14, and substitute the following:

"(a)(1) A local government official shall approve or deny an  
applicant's request for permit within sixty (60) days from the date the local  
government official receives the request for permit."



AND

Page 2, line 15, delete "government" and substitute "government official"

AND

Page 2, line 19, delete "government" and substitute "government official"

AND

Page 2, delete lines 22 through 24, and substitute the following:

"(c) The automatic approval of a permit under subdivision (a)(2) of this section shall not authorize the permit holder to violate a:

- (1) Federal law or rule;
- (2) State law or rule; or
- (3) Local ordinance or rule.

(d) Unless the applicant waives the automatic approval under subdivision (a)(2) of this section, a local government official may refuse to accept a request for permit submitted by a person who previously submitted a request for permit that has not yet been approved or denied.

(e)(1) The time period for approval or denial of a request for permit shall be extended to accommodate a time period prescribed by state statute, federal law, or court order that prohibits a local government official from approving or denying a request for permit within sixty (60) days.

(2) A local government shall provide an applicant written notice stating the reasons for the extension.

(3) The time period for approval or denial shall be extended sixty (60) days from the date of compliance as required by the state statute, federal law, or court order.

(f)(1) A local government may extend the time period for approval or denial of a request for permit by providing an applicant written notice stating the reasons for the extension.

(2) The time period for approval or denial shall be extended an additional sixty (60) days from the initial sixty (60) days authorized under subdivision (a)(1) of this section.

(g) If a local government official denies a request for permit, the local government official shall provide the applicant written or electronic notice of the denial stating the reasons the request for permit was denied."

AND

Page 2, line 28, delete "government" and substitute "government official"

AND

Page 2, delete line 29, and substitute the following:

"the reasons stated in subsection (b) or subsection (c) of this section."

AND

Page 2, delete line 36, and substitute the following:

"(c) A request for permit is incomplete if the request for permit is not accompanied with the fee:

(1) Required to review the request for permit; and

(2) Established by the local government.

(d) If the local government denies a request for permit for being"

AND

Page 3, line 1, delete "written" and substitute "written or electronic"

AND

Page 3, line 3, delete "(d)" and substitute "(e)"

AND

Page 3, delete lines 4 through 13, and substitute the following:

"under § 14-1-504 automatically restarts if an incomplete request for permit is resubmitted to the local government."

The Amendment was read

By: Representative Underwood

DTP/DTP - 02-20-2023 10:30:17

DTP112

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Chief Clerk