

CHAPTER 76-207

House Bill No. 4034

AN ACT relating to administrative procedures; amending s. 120.72(2), Florida Statutes, clarifying the transitional provisions for actions begun prior to January 1, 1975; providing for reinstatement of cases dismissed under certain conditions; providing an effective date.

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

Section 1. Subsection (2) of section 120.72, Florida Statutes, is amended to read:

120.72 Legislative intent; prior proceedings and rules; exception.--

(2)(a) All administrative adjudicative proceedings conducted pursuant to any provision of the Florida Statutes which were begun prior to January 1, 1975, shall be continued to a conclusion, including judicial review, under the provisions of the Florida Statutes, 1973, except that administrative adjudicatory proceedings which have not progressed to the stage of a hearing may, with the consent of all parties and the agency conducting the proceeding, be conducted in accordance with the provisions of this act as nearly as is feasible.

(b) If any action seeking judicial review of an administrative adjudicative proceeding begun prior to January 1, 1975, has been dismissed or otherwise disposed of on the ground that the provisions of the Florida Statutes, 1973, providing for judicial review were repealed by chapter 74-310, Laws of Florida, such action shall be reinstated by order of the court dismissing such actions upon the filing of a petition by the dismissed part at any time during the 60-day period immediately following the effective date of this act.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 20, 1976.

Filed in Office Secretary of State June 21, 1976.