

1                   A bill to be entitled  
2           An act relating to Attorney General designation of  
3           matters of great governmental concern; creating s.  
4           16.65, F.S.; providing definitions; requiring a  
5           political subdivision to serve written notice to the  
6           Attorney General when commencing a civil action;  
7           authorizing the Attorney General to determine that an  
8           action involves a matter of great governmental  
9           concern; requiring the Attorney General to give  
10          certain notice of such determination; providing the  
11          Attorney General a specified timeframe in which to  
12          file a civil action based on a matter of great  
13          governmental concern; requiring a political  
14          subdivision to notify the court of such determination  
15          by the Attorney General within a specified timeframe;  
16          staying a civil action commenced by a political  
17          subdivision under specified circumstances; requiring  
18          the Attorney General to publish notice of the outcome  
19          of a civil action based on a matter of great  
20          governmental concern within a specified timeframe;  
21          requiring that any funds recovered by the Attorney  
22          General in a civil action based on a matter of great  
23          governmental concern be deposited in the General  
24          Revenue Fund; requiring a state court to dismiss a  
25          civil action commenced by a political subdivision

26 |       alleging a matter of great governmental concern under  
 27 |       specified circumstances; providing requirements for  
 28 |       certain notices; providing an effective date.

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

32 |       Section 1.   Section 16.65, Florida Statutes, is created to  
 33 | read:

34 |       16.65 Matters of great governmental concern.—

35 |       (1) As used in this section, the term:

36 |       (a) "Matter of great governmental concern" means any  
 37 | conduct or harm that adversely affects the interests of citizens  
 38 | of at least five counties of this state.

39 |       (b) "Political subdivision" has the same meaning as in s.  
 40 | 1.01(8).

41 |       (2) (a) At the same time a political subdivision commences  
 42 | any civil action in state court, it must serve written notice of  
 43 | the commencement of such action to the Attorney General.

44 |       (b) Within 180 days after receipt of written notice served  
 45 | by a political subdivision pursuant to paragraph (a), or at any  
 46 | time if the political subdivision fails to serve such notice,  
 47 | the Attorney General may determine that the action commenced by  
 48 | the political subdivision involves a matter of great  
 49 | governmental concern, in which case the Attorney General must,  
 50 | within the same timeframe:

51 1. Publish notice on his or her official website of the  
52 determination that the action involves a matter of great  
53 governmental concern; and

54 2. Serve written notice by certified mail of such  
55 determination on the political subdivision that commenced the  
56 action.

57  
58 However, if the Attorney General has already made a  
59 determination of a matter of great governmental concern when the  
60 political subdivision commences an action involving the same  
61 matter, the Attorney General is not required to again publish or  
62 serve notice under this subsection.

63 (3) Within 1 year after the Attorney General publishes  
64 notice under subparagraph (2) (b)1., the Attorney General may  
65 file a civil action on behalf of the citizens of this state on  
66 the same matter of great governmental concern identified in the  
67 notice. Within 1 business day after filing such action, the  
68 Attorney General must publish notice of the action and its  
69 filing date on his or her official website.

70 (4) (a) A political subdivision that commences a civil  
71 action in state court based on a matter determined to be a  
72 matter of great governmental concern under paragraph (2) (b) must  
73 notify the court in which its own action is pending of the  
74 Attorney General's determination:

75 1. Within 15 days after the Attorney General's service of

76 | the determination under subparagraph (2) (b) 2.; or

77 | 2. Upon filing the civil action if at the time of filing  
78 | the Attorney General had already made the determination.

79 | (b) A political subdivision's filing of a notice under  
80 | this subsection stays the civil action in which the notice is  
81 | filed unless the Attorney General has failed to timely file a  
82 | civil action under subsection (3) or published notice on his or  
83 | her official website that he or she will not bring such an  
84 | action.

85 | (c) A stay imposed under this subsection shall remain in  
86 | place for the duration of a civil action filed by the Attorney  
87 | General under subsection (3) that is based on the same matter  
88 | that is the subject of the stayed civil action. However, the  
89 | stay shall lift if the Attorney General fails to timely file a  
90 | civil action under subsection (3) or publishes notice on his or  
91 | her official website that he or she will not bring such an  
92 | action.

93 | (5) (a) Within 15 days after a settlement or final  
94 | judgment, the Attorney General must publish notice of the  
95 | outcome of the civil action on his or her official website.

96 | (b) Any funds recovered as a result of a civil action  
97 | filed by the Attorney General pursuant to this section shall be  
98 | deposited in the General Revenue Fund.

99 | (6) A state court shall dismiss as moot a civil action  
100 | commenced by a political subdivision that is based on the same

101 matter of great governmental concern alleged in a civil action  
102 filed by the Attorney General under subsection (3) and resolved  
103 by settlement or final judgment.

104 (7) Each notice published by the Attorney General under  
105 this section must include the date of posting and be permanently  
106 retained and posted on a webpage:

107 (a) Dedicated expressly for posting such notices;  
108 (b) Titled "Matters of Great Governmental Concern"; and  
109 (c) Directly accessible through a link on the department's  
110 website homepage.

111 Section 2. This act shall take effect July 1, 2021.