

Table of Contents

CHAPTER 1. THE FLORIDA CONSTITUTION

- § 1:1 What is the purpose of the Florida Constitution?
- § 1:2 Summary of the Florida Constitution
- § 1:3 Full text of the Florida Constitution (current as of June 8, 2026)
- § 1:4 Amending Florida's Constitution
- § 1:5 Right of access to courts and right to justice without denial or delay
- § 1:6 Principle for interpreting Florida's Constitution: limitation upon government power
- § 1:7 Separation of powers and branches of government under the Florida Constitution

CHAPTER 2. THE STRUCTURE AND POWERS OF FLORIDA'S LOCAL GOVERNMENTS

- § 2:1 Purpose of this chapter
- § 2:2 Local governments within Florida: counties, cities, municipalities, and other municipal corporations
- § 2:3 What defines a county, and what powers can one wield?
- § 2:4 What defines a municipality or municipal corporation, and what powers can one wield?
- § 2:5 Home Rule Amendment to Florida's Constitution and the origin of Florida's Municipal Home Rule Powers Act
- § 2:6 Florida's Municipal Home Rule Powers Act

CHAPTER 3. MUNICIPAL LAWMAKING POWER AND ITS LIMITS

- § 3:1 Purpose of this chapter
- § 3:2 Proper subject matter for county ordinances, municipal codes, and local laws
- § 3:3 Laws from local governments: ordinances, resolutions, and the difference between the two
- § 3:4 Procedures for enacting local laws, ordinances, and resolutions
- § 3:5 Requirements for laws: single subject
- § 3:6 Requirements for laws: amendments to existing laws must set out in full the new text of the entire law

- § 3:7 Requirements for laws: subject clearly stated in title
- § 3:8 Requirements for laws: passage of local zoning laws
- § 3:9 Requirements for laws: inconsistency: ordinances may not be inconsistent with general or special law
- § 3:10 Inconsistency: preemption of local laws and the Municipal Home Rule Powers Act
- § 3:11 Inconsistency: conflict of local laws with superior laws

CHAPTER 4. CREATING, MERGING, OR DISSOLVING A MUNICIPALITY

- § 4:1 Purpose of this chapter
- § 4:2 Formation of a municipality
- § 4:3 Merger of existing municipalities
- § 4:4 Dissolution or unincorporation of a municipality

CHAPTER 5. MUNICIPAL BOUNDARIES: EXPANDING OR CONTRACTING A MUNICIPALITY

- § 5:1 Purpose of this chapter
- § 5:2 State statute governs the annexation or contraction of the size of municipalities
- § 5:3 Purpose of Florida's Municipal Annexation or Contraction Act
- § 5:4 What constitutes municipal annexation, and what constitutes contraction?
- § 5:5 Lands eligible for municipal annexation
- § 5:6 Municipality's three required actions prior to any annexation
- § 5:7 Annexation procedure: for when municipality seeks to annex land
- § 5:8 Annexation procedure: for when unincorporated area seeks to join municipality
- § 5:9 Annexation of enclaves
- § 5:10 Municipal annexation within independent special districts
- § 5:11 Municipality's filing requirements postannexation
- § 5:12 Financial effects of annexing territory
- § 5:13 Contracting a municipality: territory eligible for deannexation
- § 5:14 Contracting a municipality: procedure for excluding territory by deannexation
- § 5:15 Effects of annexing or contracting territory upon its citizens
- § 5:16 Effects of annexing or contracting territory upon franchises

TABLE OF CONTENTS

- § 5:17 Debt and municipal property ownership after
municipal contraction or deannexation of territory
- § 5:18 Municipality's filing requirements after contraction
- § 5:19 Appellate review of municipality's attempts to change
its borders: Florida's "Appeal on Annexation or
Contraction" Statute

CHAPTER 6. SOVEREIGNTY OF NATIVE AMERICANS UNDER FLORIDA MUNICIPAL LAW

- § 6:1 Purpose of this chapter
- § 6:2 Government and legislative history of Florida's Native
Americans
- § 6:3 Applicability of state laws and local ordinances over
Florida's Native Americans
- § 6:4 State and local authority over Florida's Native
American tribes and their agents
- § 6:5 Setting aside Florida land for Native Americans and
their reservations
- § 6:6 Compacts between sovereigns: state and local authority
to enter into binding agreements with Native
American tribes

CHAPTER 7. SOVEREIGN IMMUNITY

- § 7:1 Purpose of this chapter
- § 7:2 Defining sovereign immunity
- § 7:3 Scope of sovereign immunity for the state of Florida
- § 7:4 Sovereign immunity versus claim of violation of
constitution
- § 7:5 Sovereign immunity and Florida state agency or "arm
of the state of Florida"
- § 7:6 Sovereign immunity and Florida cities, towns, and
municipalities
- § 7:7 Sovereign immunity and Florida counties
- § 7:8 Sovereign immunity, multistate agencies, and
interstate compacts
- § 7:9 Sovereign immunity and building enforcement officials
- § 7:10 Judgment interest and sovereign immunity
- § 7:11 Sovereign immunity versus ensuring state compliance
with federal law
- § 7:12 Sovereign immunity and tort claims against Florida
- § 7:13 Statutory interpretation of waiver of sovereign
immunity
- § 7:14 Sovereign immunity versus claims of illegal tax or fee

CHAPTER 8. INTERGOVERNMENTAL RELATIONS: AGREEMENTS AND DISAGREEMENTS AMONG COUNTIES AND MUNICIPALITIES

- § 8:1 Purpose of this chapter
- § 8:2 Interlocal agreements between and among counties or municipalities
- § 8:3 Interlocal agreements for public school administration and construction
- § 8:4 Interlocal agreements for law enforcement and for mutual aid
- § 8:5 Interlocal agreement for certifying organizations as minority business enterprises for the purpose of preferential treatment in awarding government contracts for purchasing and procurement
- § 8:6 Interlocal Service Boundary Agreement Act
- § 8:7 Interlocal agreements for sharing local-option tax revenues
- § 8:8 Dispute resolution between and among counties, municipalities, and local governments

CHAPTER 9. PRIVATIZATION AND FRANCHISES FROM GOVERNMENT

- § 9:1 Purpose of this chapter
- § 9:2 Definition and power of a franchise from government
- § 9:3 Authority of county, city, municipality, or local government to grant a franchise
- § 9:4 Rights and responsibilities under a government franchise

CHAPTER 10. PUBLIC ACCESS, OPEN MEETINGS, AND “GOVERNMENT IN THE SUNSHINE”

- § 10:1 Purpose of this chapter
- § 10:2 Origin, purpose, and scope of “Government in the Sunshine” Open Meetings Law
- § 10:3 When does Florida’s Sunshine Law apply?
- § 10:4 Requirement for Florida Sunshine Law compliance: reasonable notice
- § 10:5 Requirement for Florida Sunshine Law compliance: location of meeting
- § 10:6 Requirement for Florida Sunshine Law compliance: open to the public

TABLE OF CONTENTS

- § 10:7 Requirement for Florida Sunshine Law compliance: minutes and record of proceedings
- § 10:8 Consequences for failure to comply with Florida's Sunshine Law
- § 10:9 Appellate practice under Florida's Sunshine Law

CHAPTER 11. STATE AND LOCAL GOVERNMENT PURCHASING

- § 11:1 Purpose of this chapter
- § 11:2 How local governments purchase goods and services: bid or requests for proposal
- § 11:3 Standard for judicial review of local government decision to choose the winner of a Bid or Request for Proposal

CHAPTER 12. ZONING AND PLANNING

- § 12:1 Purpose of this chapter
- § 12:2 Difference between "zoning" and "planning"
- § 12:3 Authority of municipality to enact zoning ordinances

CHAPTER 13. RED LIGHT CAMERAS

- § 13:1 Red light cameras in Florida

CHAPTER 14. FLORIDA ADMINISTRATIVE LAW

- § 14:1 When a court is not a court: origin of Florida administrative law
- § 14:2 Primary jurisdiction, exhaustion of administrative remedies, and common law certiorari
- § 14:3 Purpose of the Florida Administrative Procedure Act
- § 14:4 Scope of the Florida Administrative Procedure Act and definition of "agency"
- § 14:5 Government agency power to make rules and regulations under the Administrative Procedure Act
- § 14:6 Challenging government agency rules, regulations or policies under the Administrative Procedure Act
- § 14:7 Challenging an agency's failure to make rules, regulations or policies under the Florida Administrative Procedure Act
- § 14:8 Attorney fees and costs before DOAH when challenging an agency's rulemaking or lack thereof under the Florida Administrative Procedure Act
- § 14:9 Attorney fees and costs on appeal from an order entered under the Florida Administrative Procedure Act

CHAPTER 15. MUNICIPAL LAW FORMS

- § 15:1 Purpose of this chapter
- § 15:2 Form for dedicating land to the general public—
Dedication with plat attached
- § 15:3 Form for resolution of dedication of land to public
use—By Municipality
- § 15:4 Form for county's authorization to settle claim
- § 15:5 Form for authorization for attorney to settle claim
- § 15:6 Form for motion—For substitution of party—Public
officer ceased to hold office—Substitution by
successor [Fla. R. Civ. P. 1.260(d)(1)]
- § 15:7 Form for prelitigation notice—By condemning
authority to fee simple property owner [§§ 73.091,
73.0511, Fla. Stat.]
- § 15:8 Form for petition in eminent domain [per § 73.021,
Fla. Stat.]
- § 15:9 Form for declaration of taking—By petitioner [per
§ 74.031, Fla. Stat.]
- § 15:10 Form for answer to petition in eminent domain [per
§ 73.051, Fla. Stat.]
- § 15:11 Form for final judgment—Dismissing petition in
eminent domain—Slow take procedure
- § 15:12 Form for complaint against officer, employee, or agent
of state agency or subdivision—In individual
capacity—Negligent or wrongful act or omission
- § 15:13 Form for complaint against municipality for negligent
construction of street causing property damage
- § 15:14 Form for complaint against county law enforcement
agency or subdivision for negligent or wrongful
operation of motor vehicle by its employee causing
personal injury
- § 15:15 Form for complaint against state agency, municipality
or subdivision for its negligent maintenance of a
highway or road
- § 15:16 Form for complaint against state law enforcement
agency for negligent accident investigation causing
personal injury
- § 15:17 Form for complaint against county medical examiner
in her individual capacity for unauthorized removal
of body parts of decedent causing plaintiff emotional
distress
- § 15:18 Forms for oaths to be executed when Electors seeking
assistance in casting ballots by Electors and
Elections
- § 15:19 Form for Voter's Certificate regarding absentee ballot
(per Fla. Stat. sec. 101.64)

TABLE OF CONTENTS

- § 15:20 Form for judicial candidate's oath (per Fla. Stat. sec. 105.031)
- § 15:21 Form for conveyance of land by county

CHAPTER 16. MUNICIPAL LAW AND THE COVID-19 PANDEMIC

- § 16:1 Funding for community health centers and community care
- § 16:2 Funding for block grants for community mental health services
- § 16:3 Funding for mental health and substance use disorder training for health care professionals, paraprofessionals, and public safety officers
- § 16:4 Funding for community-based funding for local substance use disorder services
- § 16:5 Funding for community-based funding for local behavioral health needs
- § 16:6 Emergency rental assistance

Table of Laws and Rules

Table of Cases

Index