

## CHAPTER 164

## GOVERNMENTAL DISPUTES

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**164.101 Short title.**—This act may be cited as the "Florida Governmental Cooperation Act."

**History.**—s. 1, ch. 87-346.

**164.102 Purpose.**—The purpose of this act is to promote, protect, and improve the public health, safety, and welfare by the creation of a governmental dispute resolution process that can provide an equitable, expeditious, effective, and inexpensive method for resolution of disputes between and among counties and municipalities.

**History.**—s. 2, ch. 87-346.

**164.103 Litigation; duty to give notice; duty to negotiate.**—

(1) The governing body of a county or municipality may not file suit against another county or municipality unless the governing body has notified the potential defendant county or municipality of its intent to file the suit. This notice must be given no less than 45 days in advance of the filing of the suit.

(2) The governing body of the county or municipality which has received notice pursuant to subsection (1) must hold a public meeting within 30 days after receipt of the notice. The governing body of the county or municipality giving notice and the governing body of the county or municipality receiving notice shall discuss the proposed litigation at the meeting in an effort to amicably settle the controversy.

(3) If the county or municipality finds that an immediate danger to the health, safety, or welfare of the public requires immediate action, no notice or public meeting, as provided in this section, shall be required before the suit is filed.

**History.**—s. 3, ch. 87-346.

**164.104 Penalty.**—If the governing body of a county or municipality which has received notice of intent to file a suit pursuant to s. 164.103(1) fails to hold a public meeting to discuss the proposed litigation, the governing body shall be required to pay the attorney's fees and costs in that proceeding of the county or municipality which has filed suit.

**History.**—s. 4, ch. 87-346.

**164.105 Tolling of statutes of limitation.**—Each applicable statute of limitations is tolled for 45 days from the date of receipt by the potential defendant local governmental entity of the notice of intent to sue.

**History.**—s. 5, ch. 87-346; s. 37, ch. 91-45.

**164.106 Public hearing or meeting before settlement.**—

(1) In any suit filed wherein the governing body of a county or municipality is a defendant, no settlement shall be entered into unless the terms of the settlement have been the subject of a public hearing held after the county or municipality so sued gives due public notice.

(2) A local government may settle a case at a public meeting subject to s. 286.011 where it records in the minutes the reasons for which an emergency exists which preclude the local government from holding a public hearing on the settlement.

**History.**—ss. 6, 7, ch. 87-346; s. 38, ch. 91-45.