Bond Case Briefs

Municipal Finance Law Since 1971

EMINENT DOMAIN - FLORIDA

Gulf Coast Transportation, Inc. v. Hillsborough County

District Court of Appeal of Florida, Second District - October 7, 2022 - So.3d - 2022 WL 5265431

Taxicab companies, which operated in county pursuant to medallions issued by commission created by special legislation, brought inverse condemnation against the State and county, alleging the two entities had taken their taxi medallions without compensation when the legislature dissolved the commission and repealed the special legislation, and the county did not compensate the companies for or offer to purchase their old medallions, but instead required them to purchase new ones.

The Circuit Court denied the State's motion to dismiss, but granted summary judgment to the county. The State and the companies appealed, and the appeals were consolidated.

The District Court of Appeal held that:

- District Court of Appeal had jurisdiction to review Circuit Court's order denying the State's motion to dismiss, and
- The companies did not have a property interest in the medallions that was cognizable under the Takings Clause.

District Court of Appeal had jurisdiction to review Circuit Court's order denying the State's motion to dismiss, for failure to state a claim, taxicab companies' claim the State had taken their private property without compensation by negating their taxicab medallions when the legislature dissolved the commission that had issued the medallions and repealed the special legislation governing the commission, since the Circuit Court's ruling on that motion was directly related to an aspect of its appealable final summary judgment in favor of county in the same inverse condemnation proceeding, namely, whether a taking occurred within the meaning of the Florida Constitution.

Taxicab companies that held medallions issued by commission created by special legislation did not have a property interest in the medallions that was cognizable under the Takings Clause of the Florida Constitution, and thus, the State did not take compensable property from the companies when the legislature dissolved the commission and repealed the special legislation governing it, even though the legislature had declared that the medallions were the private property of medallion holders and had granted them the ability to transfer their medallions; the legislature always retained the power to change or abolish the regulatory framework that created the medallions, and any interest the companies had in their medallions was a unilateral expectation in the persistence of that framework.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com