

1                                   A bill to be entitled  
 2           An act relating to special districts; creating s.  
 3           189.414, F.S.; requiring public facilities projects of  
 4           independent special districts with taxing authority to  
 5           be approved by the appropriate local general-purpose  
 6           government; requiring a local government  
 7           representative to serve as an ex officio, nonvoting  
 8           member of the district; providing exemptions; amending  
 9           s. 189.415, F.S.; conforming provisions to changes  
 10          made by the act; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1.   Section 189.414, Florida Statutes, is created  
 15 to read:

16           189.414 Local government approval of public facilities.-

17           (1) Notwithstanding any other general or special law,  
 18 proposals by an independent special district that has ad valorem  
 19 taxing authority to build, improve, or expand public facilities  
 20 which require the expenditure of public funds must be approved  
 21 by the appropriate local general-purpose government as follows:

22           (a) All public facilities of a single-county independent  
 23 special district must be approved by the county or municipality  
 24 in which the district is located or by the local government that  
 25 created the district.

26           (b) Any single-county district that serves an area that  
 27 extends beyond the boundaries of one general-purpose local  
 28 government must be approved by the county.

29           (2) Notwithstanding any other general or special law, in  
 30 order to facilitate the public facility expenditure approval  
 31 process required under this section, a representative of the  
 32 appropriate local general-purpose government shall be included  
 33 as an ex officio, nonvoting member of each affected independent  
 34 special district governing board.

35           (3) The requirement for local government approval under  
 36 this section does not apply to special districts for children's  
 37 services established pursuant to part V of chapter 125, fire  
 38 control districts established pursuant to chapter 191, and  
 39 hospital districts created by general law or special act.

40           Section 2. Paragraph (b) of subsection (2) and subsection  
 41 (6) of section 189.415, Florida Statutes, are amended to read:

42           189.415 Special district public facilities report.—

43           (2) Each independent special district shall submit to each  
 44 local general-purpose government in which it is located a public  
 45 facilities report and an annual notice of any changes. The  
 46 public facilities report shall specify the following  
 47 information:

48           (b) A description of each approved public facility the  
 49 district is building, improving, or expanding, or is currently  
 50 proposing to build, improve, or expand within at least the next  
 51 7 years if approved pursuant to s. 189.414, including any  
 52 facilities that the district is assisting another entity, except  
 53 a local general-purpose government, to build, improve, or expand  
 54 through a lease or other agreement with the district. For each  
 55 public facility identified, the report must ~~shall~~ describe how  
 56 the district currently proposes to finance the facility.

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57           (6) For purposes of obtaining local government approval of  
58 proposed public facilities and the preparation or revision of  
59 local government comprehensive plans required pursuant to s.  
60 163.3161, a special district public facilities report may be  
61 used and relied upon by the local general-purpose government or  
62 governments within which the special district is located.

63           Section 3. This act shall take effect October 1, 2013.