

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing bill: Local, Federal & Veterans  
 2 Affairs Subcommittee

3 Representative Ingolia offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (h) is added to subsection (1) of  
 8 section 190.046, Florida Statutes, to read:

9 190.046 Termination, contraction, or expansion of  
 10 district.—

11 (1) A landowner or the board may petition to contract or  
 12 expand the boundaries of a community development district in the  
 13 following manner:

14 (h) For a petition to establish a new community  
 15 development district of less than 2,500 acres on land located  
 16 solely in one county or one municipality, adjacent lands located

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17 within the county or municipality which the petitioner  
18 anticipates adding to the boundaries of the district within the  
19 next 10 years may also be identified. If such adjacent land is  
20 identified, the petition must include a legal description of  
21 each additional parcel within the adjacent land, the current  
22 owner of the parcel, the acreage of the parcel, and the current  
23 land use designation of the parcel. At least 14 days before the  
24 hearing required under s. 190.005(2)(b), the petitioner must  
25 give the current owner of each such parcel notice of filing the  
26 petition to establish the district, the date and time of the  
27 public hearing on the petition, and the name and address of the  
28 petitioner. A parcel may not be included in the district without  
29 the written consent of the owner of the parcel.

30 1. After establishment of the district, a person may  
31 petition the county or municipality to amend the boundaries of  
32 the district to include a previously identified parcel that was  
33 a proposed addition to the district before its establishment. A  
34 filing fee may not be charged for this petition. Each such  
35 petition must include:

36 a. A legal description by metes and bounds of the parcel  
37 to be added;

38 b. A new legal description by metes and bounds of the  
39 district;

40 c. Written consent of all owners of the parcel to be  
41 added;

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42 d. A map of the district including the parcel to be added;

43 e. A description of the development proposed on the  
44 additional parcel; and

45 f. A copy of the original petition identifying the parcel  
46 to be added.

47 2. Before filing with the county or municipality, the  
48 person must provide the petition to the district and to the  
49 owner of the proposed additional parcel, if the owner is not the  
50 petitioner.

51 3. Once the petition is determined sufficient and  
52 complete, the county or municipality must process the addition  
53 of the parcel to the district as an amendment to the ordinance  
54 that establishes the district. The county or municipality may  
55 process all petitions to amend the ordinance for parcels  
56 identified in the original petition, even if, by adding such  
57 parcels, the district exceeds 2,500 acres.

58 4. The petitioner shall cause to be published in a  
59 newspaper of general circulation in the proposed district a  
60 notice of the intent to amend the ordinance that establishes the  
61 district, which notice shall be in addition to any notice  
62 required for adoption of the ordinance amendment. Such notice  
63 must be published at least 10 days before the scheduled hearing  
64 on the ordinance amendment and may be published in the section  
65 of the newspaper reserved for legal notices. The notice must  
66 include a general description of the land to be added to the

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67 district and the date and time of the scheduled hearing to amend  
68 the ordinance. The petitioner shall mail the notice of the  
69 hearing on the ordinance amendment to the owner of the parcel  
70 and to the district at least 14 days before the scheduled  
71 hearing.

72 5. The amendment of a district by the addition of a parcel  
73 pursuant to this paragraph does not alter the transition from  
74 landowner voting to qualified elector voting pursuant to s.  
75 190.006, even if the total size of the district after the  
76 addition of the parcel exceeds 5,000 acres. Upon adoption of the  
77 ordinance expanding the district, the petitioner must cause to  
78 be recorded a notice of boundary amendment which reflects the  
79 new boundaries of the district.

80 6. This paragraph is intended to facilitate the orderly  
81 addition of lands to a district under certain circumstances and  
82 does not preclude the addition of lands to any district using  
83 the procedures in the other provisions of this section.

84 Section 2. This act shall take effect July 1, 2018.

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87 **T I T L E A M E N D M E N T**

88 Remove everything before the enacting clause and insert:  
89 An act relating to community development districts; amending s.  
90 190.046, F.S.; authorizing adjacent lands located within the  
91 county or municipality which a petitioner anticipates adding to

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92 | the boundaries of a new community development district to also  
93 | be identified in a petition to establish the new district under  
94 | certain circumstances; providing requirements for the petition;  
95 | providing notification requirements for the petition;  
96 | prohibiting a parcel from being included in the district without  
97 | the written consent of the owner of the parcel; authorizing a  
98 | person to petition the county or municipality to amend the  
99 | boundaries of the district to include a certain parcel after  
100 | establishment of the district; prohibiting a filing fee for such  
101 | petition; providing requirements for the petition; requiring the  
102 | person to provide the petition to the district and to the owner  
103 | of the proposed additional parcel before filing the petition  
104 | with the county or municipality; requiring the county or  
105 | municipality to process the addition of the parcel to the  
106 | district as an amendment to the ordinance that establishes the  
107 | district once the petition is determined sufficient and  
108 | complete; authorizing the county or municipality to process all  
109 | such petitions even if the addition exceeds specified acreage;  
110 | providing notice requirements for the intent to amend the  
111 | ordinance establishing the district; providing that the  
112 | amendment of a district by the addition of a parcel does not  
113 | alter the transition from landowner voting to qualified elector  
114 | voting; requiring the petitioner to cause to be recorded a  
115 | certain notice of boundary amendment upon adoption of the

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116 ordinance expanding the district; providing construction;  
117 providing an effective date.