

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/HB 971 — Community Development Districts

by Local Government Affairs Subcommittee and Rep. Sullivan (CS/SB 1156 by Community Affairs Committee and Senator Hutson)

Community Development Districts (CDDs) are special-purpose units of local government established to help Florida development and growth “pay for itself” by providing infrastructure and services for new and existing communities when such infrastructure and services would not otherwise be available from other local, general-purpose governments like counties and municipalities. Community Development Districts serve as an alternative means of financing, constructing, acquiring, operating, and maintaining public infrastructure improvements to communities throughout Florida such as roads, utilities, hardscaping, landscaping, streetlights, stormwater infrastructure, conservation and mitigation areas, recreation facilities, and various other improvements allowed by statute.

Current law provides two different tracks for the establishment of a CDD. Community Development Districts of 1,000 acres or more are reviewed at a state and local level and are established by administrative rule. Smaller CDDs of less than 1,000 acres are reviewed at a local level and established by ordinance, though local governments may refer a petition for a smaller CDD to the state for processing. The bill revises the 1,000 acre threshold to 2,500 acres so that CDDs of 2,500 acres or more are now reviewed at the state level and are established by administrative rule, and CDDs of less than 2,500 acres are reviewed at a local level and established by ordinance.

The bill makes explicit that a CDD is empowered to contract with a towing operator to remove a vehicle or vessel from a CDD-owned facility or property with the same notice and procedural requirements as provided in s. 715.07, F.S. The bill also provides a new process for the merger of CDDs—permitting up to five CDDs to combine into one surviving CDD, providing the composition for the surviving CDD board of supervisors, and providing other requirements for merger.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 37-0; House 112-3