

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/SB 718 — Local Government

by Rules Committee; Community Affairs Committee; and Senator Yarborough

Annexation and Contraction

The bill makes changes to the municipal annexation and contraction process by specifying requirements for the report a municipality must prepare prior to any annexation or contraction action. The bill defines the report as a “feasibility study” and provides that such study must analyze the economic, market, technical, financial, and management feasibility of a proposed annexation or contraction.

As it pertains to contraction specifically, the bill removes the requirement that a municipality provide specific findings when rejecting a petition from the voters in an area desiring to be excluded from the municipal boundaries. It also revises the contraction procedures in situations where more than 70 percent of the acres proposed to be contracted are owned by private entities that are not registered electors. The bill requires in these instances that the owners of a majority of the acreage consent to such contraction. This change mirrors requirements in current law for municipal annexation and will apply to contraction petitions filed on or after July 1, 2023.

Amendments to Land Development Regulations

Land development regulations are ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

The bill prohibits local governments from requiring an initiative and referendum process for amendments to land development regulations. Current law generally prohibits an initiative or referendum process for any development order, as well as any local comprehensive plan amendment or map amendment.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 35-4; House 91-26