

Tab 1	HB 7-B by LaMarca ; (Identical to S 00008B) Intercollegiate Athlete Compensation and Rights
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Tab 2	HB 11-B by Daley ; Sunshine Water Control District, Broward County
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Tab 3	HB 13-B by Shoaf ; Eastpoint Water and Sewer District, Franklin County
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Tab 4	CS/HB 9-B by SAC, Hawkins, Amesty ; Reedy Creek Improvement District, Orange and Osceola Counties
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

RULES
Senator Mayfield, Chair
Senator Perry, Vice Chair

MEETING DATE: Friday, February 10, 2023
TIME: 9:00—11:00 a.m.
PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Mayfield, Chair; Senator Perry, Vice Chair; Senators Baxley, Book, Boyd, Brodeur, Broxson, Burgess, Burton, DiCeglie, Garcia, Hooper, Hutson, Jones, Osgood, Rodriguez, Rouson, Simon, Torres, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	HB 7-B LaMarca (Identical S 8-B)	Intercollegiate Athlete Compensation and Rights; Revises provisions relating to athlete agents representing intercollegiate athletes for certain purposes, compensation that intercollegiate athletes may receive, postsecondary educational institutions requirements, & specified workshops; & provides specified individuals are not liable for damages. RC 02/10/2023 Favorable	Favorable Yeas 18 Nays 0
2	HB 11-B Daley	Sunshine Water Control District, Broward County; Codifying, reenacting, amending & repealing district charter; provides for continuation of authority for revenue collection & powers to meet outstanding obligations; removes chapters 63-609 & 2021-255, Laws of Florida, relating to district; provides exception to general law. RC 02/10/2023 Favorable	Favorable Yeas 18 Nays 0
3	HB 13-B Shoaf	Eastpoint Water and Sewer District, Franklin County; Reenacts, amends, & repeals special act relating to district; provides for continuation of authority for revenue collection & powers to meet outstanding obligations; revises definitions; removes separate positions of board secretary & board treasurer; creates position of board secretary-treasurer; removes chapter 67-1399, Laws of Florida, relating to district; provides exception to general law. RC 02/10/2023 Favorable	Favorable Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Rules

Friday, February 10, 2023, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/HB 9-B State Affairs Committee / Hawkins / Amesty	Reedy Creek Improvement District, Orange and Osceola Counties; Reenacting, amending & repealing chapter 67-764, Laws of Florida, relating to district; provides for continuation of authority for revenue collection & powers to meet outstanding obligations; renames district; provides boundaries; revises manner of selection of board of supervisors; provides term limits; revises board member compensation; revises powers of board; revises powers of district; provides for transition; provides for continued effect of stipulation between district & Orange County; provides exception to general law. RC 02/10/2023 Favorable	Favorable Yeas 14 Nays 4

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: HB 7-B

INTRODUCER: Representative LaMarca

SUBJECT: Intercollegiate Athlete Compensation and Rights

DATE: February 9, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Twogood	RC	Favorable

I. Summary:

HB 7-B modifies provisions relating to intercollegiate athlete compensation and rights in Florida. The bill removes:

- Requirements regarding compensation that intercollegiate athletes may earn from the use of their NIL and restrictions on institutional involvement in NIL activities.
- Requirements and prohibitions for postsecondary educational institutions whose intercollegiate athletes seek to earn compensation or to have professional representation.
- Restrictions relating to contracts for the use of an intercollegiate athlete's NIL.

The bill retains the requirement that institutions offer a financial literacy and life skills workshop for intercollegiate athletes, but requires each workshop to include entrepreneurship, modifies the timing of the training, and requires the second workshop to be more rigorous than the first.

The bill protects postsecondary institutions and their staff from liability related to loss of an athlete's ability to NIL compensation due to routine decisions taken in the course of intercollegiate athletics.

Additionally, the bill removes an unnecessary provision relating to an athlete agent representing an intercollegiate athlete for NIL purposes. However, the bill maintains in statute the requirement that an athlete agent must be licensed for the purposes of contracts that allow an intercollegiate athlete to profit from the commercial use of her or his NIL, and be protected from unauthorized appropriation and commercial exploitation of her or his right to publicity.

The bill is effective upon becoming a law.

II. Present Situation:

National Collegiate Athletic Association

The National Collegiate Athletic Association (NCAA) is a voluntary, self-governing organization of four-year colleges, universities, and conferences. The basic purpose of the NCAA is to support and promote healthy and safe intercollegiate athletics, including national championships, as an integral part of the education program and the student-athlete as an integral part of the student body.¹

The NCAA governance structure consists of legislative bodies made up of volunteers from member schools. These legislative bodies, as well as a group of committees, govern each division and set NCAA-wide policies regarding sports rules, championships, and athlete health and safety. The Board of Governors, the NCAA's highest governing body, consists primarily of presidents and chancellors from each division. The board provides strategic planning for the NCAA as a whole, such as adopting and implementing policies to resolve core issues and other Association-wide matters.² It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the NCAA.³

Name, Image, and Likeness

"Name, image, and likeness" (NIL) is synonymous with the established legal doctrine known as the Right of Publicity. The Right of Publicity concerns itself with the right to control the commercial use of one's identity.⁴

NIL in college athletics refers to a student athlete's ability to receive compensation for their NIL through promotional and marketing activities.

NCAA Interim Rules and Guidelines

For much of its history, the NCAA maintained that student athletes' participation should be motivated primarily by education and by the physical, mental, and social benefits. NCAA policy forbade compensation for student athletes, in order to protect student athletes from exploitation by professional and commercial enterprises.⁵ NCAA bylaws held that a student athlete may lose eligibility if that athlete received payment in any form resulting from his or her athletic skill, or entered into an agreement with an agent.⁶

¹ National Collegiate Athletic Association, 2022-2023 *NCAA Division I Manual* (2022), Preamble, available at <https://web3.ncaa.org/lstdbi/reports/getReport/90008>, at 1.

² National Collegiate Athletic Association, *Governance*, <https://www.ncaa.org/sports/2021/2/9/governance.aspx> (last visited Jan. 30, 2023).

³ National Collegiate Athletic Association, 2022-2023 *NCAA Division I Manual* (2022), Preamble, available at <https://web3.ncaa.org/lstdbi/reports/getReport/90008>, at 12.

⁴ Right of Publicity, *A Concise History of the Right of Publicity*, <https://rightofpublicity.com/brief-history-of-rop> (last visited Jan. 30, 2023).

⁵ National Collegiate Athletic Association, 2017-2018 *NCAA Division I Manual* (2017), Art. 2.9, available at <https://www.ncaapublications.com/productdownloads/D118.pdf>.

⁶ *Id.* at Bylaw 12.1.2.

However, facing increasing pressure from student athletes, states, Congress, and the courts, in July 2021, the NCAA adopted an NIL Interim Policy that granted intercollegiate athletes the opportunity to benefit from their NIL, which applied to Divisions I-III for incoming and current student athletes.⁷ The policy provided that:

- Individuals can engage in NIL activities that are consistent with the law of the state where the school is located.
- Individuals can use a professional services provider (e.g., athlete agents, attorneys, and financial advisors) for NIL activities.
- College athletes who attend a school in a state without an NIL law can engage in NIL activity without violating NCAA rules related to NIL.

Under the Interim Policy, however, an NIL agreement may not be guaranteed or promised contingent upon initial or continued enrollment at a particular institution (recruitment), or may not be provided as compensation or incentive for athletic performance or membership on a team (pay-for-play).⁸

In May 2022, the NCAA issued additional guidance to clarify issues related to “booster” involvement. Boosters are individuals or entities who are known (or should have been known) by a member of the institution’s executive or athletic administration to have participated in promoting the institution’s intercollegiate program or to have provided benefits to student athletes or their families.⁹ The NCAA precludes such groups from recruiting activities on behalf of the school and from providing benefits to prospective student athletes (PSAs). The guidance also prohibited institutional staff members from involvement with the provision of benefits to a PSA.¹⁰ However, the guidance did not specifically extend this prohibition to institutional involvement with NIL activities for currently enrolled student athletes.¹¹

Additional guidance on October 26, 2022, applied NCAA Bylaws and Interim Policy to institution involvement in current student-athlete NIL activities.¹² For example:¹³

- Schools may inform student athletes of NIL opportunities and assist in matching students and opportunities, but may not negotiate on behalf of an NIL entity or student athlete for a specific NIL opportunity.
- Schools may request donors to provide funds to collectives or other NIL entities, but such requests may not be directed toward a specific sport or athlete.

⁷ National Collegiate Athletic Association, *Name, Image, and Likeness Interim Policy*, <https://www.ncaa.org/sports/2021/2/8/about-taking-action.aspx> (last visited Jan. 30, 2023).

⁸ National Collegiate Athletic Association, *Interim Name, Image and Likeness Policy Guidance Regarding Third Party Involvement* (2022), available at https://ncaaorg.s3.amazonaws.com/ncaa/NIL/May2022NIL_Guidance.pdf.

⁹ *Id.*

¹⁰ *Id.*

¹¹ National Collegiate Athletic Association, *NCAA Division I Institutional Involvement in a Student-Athlete’s Name, Image and Likeness Activities* (2022), available at https://ncaaorg.s3.amazonaws.com/ncaa/NIL/D1NIL_InstitutionalInvolvementNILActivities.pdf, at 1.

¹² *Id.*

¹³ National Collegiate Athletic Association, *DI board approves clarifications for interim NIL policy*, <https://www.ncaa.org/news/2022/10/26/media-center-di-board-approves-clarifications-for-interim-nil-policy.aspx> (last visited Jan. 30, 2023).

The NCAA NIL rules do not supersede state laws or college, university, or conference NIL policies. A college or university in a state that does not have a law in effect must develop its own policies based on the NCAA guidelines designed to prevent pay-for-play deals and payments that are used as recruiting inducements.¹⁴

Other Intercollegiate Athletic Associations

The National Association of Intercollegiate Athletics (NAIA) is a governing body of over 250 small athletics programs,¹⁵ comprised mostly of smaller private institutions that are a four-year college or university or upper-level, two-year institution that awards a bachelor's degree, or its equivalent.¹⁶ There are nine private colleges and universities in Florida that are members of the NAIA.¹⁷ The NAIA athletic competition is comparable to NCAA Division II and III.¹⁸

The National Christian College Athletic Association (NCCAA) was established in 1968, and includes 89 member institutions.¹⁹ There are six private colleges and universities in Florida that are members of the NCCAA.²⁰

The National Junior College Athletic Association (NJCAA) is a governing body for two-year collegiate athletics.²¹ The NJCAA is the second-largest national intercollegiate athletic organization in the United States with over 500 member schools in 44 states. The NJCAA is comprised of Division I, II, II and non-divisional level of competition.²² Twenty-five of the Florida College System institutions are members of the NJCAA.

Both the NAIA²³ and NJCAA²⁴ bylaws permit student athletes to receive compensation for use of their NIL to promote any commercial product or enterprise, or public or media appearance.

¹⁴ National Collegiate Athletic Association, *Interim Name, Image and Likeness Policy, Question and Answer* (2021), available at https://ncaaorg.s3.amazonaws.com/ncaa/NIL/NIL_QandA.pdf.

¹⁵ National Association of Intercollegiate Athletics, *Why NAIA, NAIA Member Schools*, [https://www.naia.org/why-naia/member-schools?utm_source=google&utm_medium=cpc&utm_campaign=NAIA22%20Search%20\(US\)%20-%20Consideration&utm_term=&gclid=Cj0KCQiA2-2eBhCIARIsAGLQ2Rk5CzM-ckA6V4FY2AwHch87cV65CufUF4EI3CPiG_pIhneLriC-4IaAnq7EALw_wcB](https://www.naia.org/why-naia/member-schools?utm_source=google&utm_medium=cpc&utm_campaign=NAIA22%20Search%20(US)%20-%20Consideration&utm_term=&gclid=Cj0KCQiA2-2eBhCIARIsAGLQ2Rk5CzM-ckA6V4FY2AwHch87cV65CufUF4EI3CPiG_pIhneLriC-4IaAnq7EALw_wcB) (last visited Feb. 2, 2023).

¹⁶ National Association of Intercollegiate Athletics, *NAIA Handbook 2022-2023* (2022), available at https://d2o2figo6ddd0g.cloudfront.net/t/6/9wuekvoa39wlhz/D_NAIA_Official_Handbook_Bylaws_Articles1-10_BW.pdf.

¹⁷ Ave Maria University, Florida College, Florida Memorial University, Florida National University, Keiser University, Southeastern University, St. Thomas University, Warner University, and Webber International University. National Association of Intercollegiate Athletics, *2022-23 NAIA Member Institutions* (2022), available at https://www.naia.org/schools/files/2022-23_NAIA_Institutions.pdf.

¹⁸ U.S. News, *Playing a Sport in Each NCAA Division: What to Know*, <https://www.usnews.com/education/articles/playing-a-sport-in-each-ncaa-division-what-to-know> (last visited Feb. 2, 2023).

¹⁹ National Christian College Athletic Association, *About Us*, available at <https://thenccaa.org/tournaments/?id=567>.

²⁰ Johnson University Florida, Pensacola Christian College, Trinity Baptist College, Trinity College of Florida, University of Ft. Lauderdale, Warner University.

²¹ National Junior College Athletic Association, *2021-22 NJCAA Annual Report* (2022), available at https://d2o2figo6ddd0g.cloudfront.net/h/z/x5oxckgwtxf4r/2021-22_NJCAA_Annual_Report_09-28-22.pdf.

²² *Id.*

²³ National Association of Intercollegiate Athletics, *Why NAIA, NAIA Member Schools*, [https://www.naia.org/why-naia/member-schools?utm_source=google&utm_medium=cpc&utm_campaign=NAIA22%20Search%20\(US\)%20-%20Consideration&utm_term=&gclid=Cj0KCQiA2-2eBhCIARIsAGLQ2Rk5CzM-ckA6V4FY2AwHch87cV65CufUF4EI3CPiG_pIhneLriC-4IaAnq7EALw_wcB](https://www.naia.org/why-naia/member-schools?utm_source=google&utm_medium=cpc&utm_campaign=NAIA22%20Search%20(US)%20-%20Consideration&utm_term=&gclid=Cj0KCQiA2-2eBhCIARIsAGLQ2Rk5CzM-ckA6V4FY2AwHch87cV65CufUF4EI3CPiG_pIhneLriC-4IaAnq7EALw_wcB) (last visited Feb. 2, 2023).

²⁴ National Junior College Athletic Association, *NJCAA Handbook Bylaws 2022-2023* (2022), available at https://d2o2figo6ddd0g.cloudfront.net/7/i/y6putkurxwhob3/NJCAA_Handbook_-_Bylaws_12-05-22.pdf.

The NAIA also requires the student athlete to notify their institution's athletics director in writing of any compensation the student receives from the use of their NIL.

Florida Law

Florida was one of the first states to pass an NIL law for its colleges and universities.²⁵ The law, effective on July 1, 2021, specified that an intercollegiate athlete must have an equal opportunity to control and profit from the commercial use of her or his NIL, and be protected from unauthorized appropriation and commercial exploitation of her or his right to publicity.²⁶

Florida law specifies that a postsecondary institution may not adopt or maintain a rule or other requirement that prevents or restricts the ability of an intercollegiate athlete from earning compensation for the use of her or his NIL. Additionally, earning such compensation may not affect the intercollegiate athlete's grant-in-aid²⁷ or athletic eligibility.²⁸

Relating to compensation for an athlete's NIL, Florida law specifies that:

- Compensation for an athlete's NIL may not be provided in exchange for athletic performance or attendance at a particular institution, which is consistent with NCAA Interim Rules.²⁹
- Compensation may only be provided by a third party unaffiliated with the intercollegiate athlete's postsecondary educational institution.³⁰
- A postsecondary institution and an institution or athletic program support organization, including employees of such institutions or organizations, may not compensate or cause compensation to be directed to a current or prospective intercollegiate athlete for her or his NIL.³¹
- Compensation must be commensurate with the market value of the authorized use of the athlete's NIL.³²

Florida law specifies that a postsecondary institution may not prevent or unduly restrict an intercollegiate athlete from obtaining professional representation by an athlete agent or attorney for the purpose of securing compensation for the use of her or his NIL. An athlete's grant-in-aid may not be revoked or reduced based on such representation.³³ However, an athlete agent representing an intercollegiate athlete for purposes of securing compensation for the use of her or his NIL must be licensed, and must be a member in good standing of The Florida Bar.³⁴

²⁵ Section 1006.74, F.S., created in ch. 2020-28, s. 1, Laws of Fla. Florida has 13 college and university athletic programs in the NCAA Division I, and 13 in Division II. There are no Florida institution athletic programs in the NCAA Division III.

²⁶ Section 1006.74, F.S.

²⁷ A "grant-in-aid" is financial aid that consists of tuition and fees, room and board, books and other expenses related to attendance at the institution up to the cost of attendance. National Collegiate Athletic Association, *2022-2023 Division I Manual* (Aug. 1, 2022), available at <https://web3.ncaa.org/lstdbi/reports/getReport/90008>, at Bylaw 15.02.6.

²⁸ Section 1006.74(2)(b), F.S.

²⁹ Section 1006.74(2)(a), F.S.

³⁰ *Id.*

³¹ Section 1006.74(2)(c), F.S.

³² Section 1006.74(2)(a), F.S.

³³ Section 1006.74(2)(d) and (e), F.S.

³⁴ Section 1006.74(2)(d), F.S. *See also* s. 468.453(8), F.S.

Provisions in Florida law relating to contracts for an intercollegiate athlete's NIL include the following:

- An athlete who enters into a contract for compensation for the use of her or his NIL must disclose the contract to the postsecondary institution at which she or he is enrolled, in a manner designated by the institution.³⁵
- An athlete may not enter into a contract for compensation for the use of her or his NIL if a term of the contract conflicts with a term of the intercollegiate athlete's team contract.³⁶
- An athlete under 18 years of age must have any contract for compensation for the use of her or his NIL approved under ss. 743.08 and 743.09, Florida Statutes.³⁷
- The duration of an NIL contract may not extend beyond the athlete's participation in an athletic program at a postsecondary institution.³⁸

Finally, Florida law requires each postsecondary institution to conduct a financial literacy and life skills workshop for a minimum of 5 hours at the beginning of the intercollegiate athlete's first and third academic years. The workshop must include information on financial planning, time management, and academic resources. The workshop may not include any marketing, advertising, referral, or solicitation by providers of financial products or services.³⁹

NIL Legislation in Other States

The majority of states have passed legislation allowing athletes to receive compensation for their NIL.⁴⁰ However, some states are considering modifications or repealing their NIL laws, due to concerns that existing laws could be more restrictive for athletes than NCAA guidelines.⁴¹ After the NCAA released its Interim Rules, seven states have amended their NIL laws,⁴² generally to provide more flexibility to institutions in arranging NIL deals for their student athletes or to address institution trademark issues. Two states, Alabama and South Carolina, have repealed or suspended their NIL laws.⁴³

³⁵ Section 1006.74(2)(i), F.S.

³⁶ Section 1006.74(2)(h), F.S.

³⁷ Section 1006.74(2)(f), F.S.

³⁸ Section 1006.74(2)(j), F.S.

³⁹ Section 1006.74(2)(k), F.S.

⁴⁰ States that have active laws authorizing student athletes to be compensated for their NIL are Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky (Executive Order), Louisiana, Maine, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, and Virginia. Opendorse, *NIL Incoming: Comparing State Laws and Proposed Legislation*, <https://biz.opendorse.com/blog/comparing-state-nil-laws-proposed-legislation/> (last visited Jan. 30, 2023).

⁴¹ National Conference of State Legislatures, *Student-Athlete Compensation*, <https://www.ncsl.org/research/education/student-athlete-compensation.aspx> (last visited Jan. 30, 2023).

⁴² Connecticut, Illinois, Mississippi, Nebraska, Oregon, Pennsylvania, Tennessee. Opendorse, *NIL Incoming: Comparing State Laws and Proposed Legislation*, <https://biz.opendorse.com/blog/comparing-state-nil-laws-proposed-legislation/> (last visited Jan. 30, 2023).

⁴³ Opendorse, *NIL Incoming: Comparing State Laws and Proposed Legislation*, <https://biz.opendorse.com/blog/comparing-state-nil-laws-proposed-legislation/> (last visited Jan. 30, 2023).

Liability

Illinois⁴⁴ and Mississippi⁴⁵ have included in their NIL laws a broad protection from liability for postsecondary educational institutions related to the implementation and enforcement of each state's law regarding compensation for use of an athlete's NIL.

Student Athlete Development Programs

The NCAA requires each Division I institution to conduct a life skills program on its campus for intercollegiate athletes.⁴⁶ Despite only being required at Division I institutions, many Division II and III institutions have adopted aspects of a life skills program or have implemented entire curricula.⁴⁷ However, the NCAA does not prescribe the content of each institution's program. In 2016, the NCAA partnered with the National Association of Academic Advisors for Athletics (N4A), for daily oversight and operation of programming for student-athletes and life skills professionals at NCAA member institutions.⁴⁸

The NAIA provides a student athlete development program through the Student-Athlete Wellness Center. The NAIA's program promotes developing a healthy mental approach to the experience as a student-athlete, creating a healthy, balanced lifestyle to engage in a high level of competition, and character and leadership development.⁴⁹ The NAIA program does not specifically require training in financial literacy.

Licensing of Athlete Agents

The licensing and regulation of athlete agents in Florida is administered by the Department of Business and Professional Regulation (DBPR). An athlete agent is a person who:⁵⁰

- Recruits or solicits a student athlete to enter into an agent contract,⁵¹ directly or indirectly;
- Procures, offers, promises, or attempts to obtain employment or promotional fees or benefits for a student athlete with a professional sports team or as a professional athlete, for any type of financial gain; or
- Markets or attempts to market the student athlete's athletic ability or athletic reputation with any promoter.

In order to be licensed as an athlete agent, an applicant must be at least 18 years of age, be of good moral character, and submit a completed the application form with fingerprints for a

⁴⁴ 110 Ill. Comp. Stat. 190/35.

⁴⁵ Miss. Code. s. 37-97-109.

⁴⁶ National Collegiate Athletic Association, *2022-2023 Division I Manual* (Aug. 1, 2022), available at <https://web3.ncaa.org/lstdbi/reports/getReport/90008>, at Bylaw 16.3.1.2.

⁴⁷ National Association of Academic & Student-Athlete Development Professionals, *N4A 2022 SADV Task Force White Paper Outline*, at page 5 (2022), available at https://s3.us-east-2.amazonaws.com/sidearm.nextgen.sites/nacda.com/documents/2022/6/14/N4A_2022_SADV_White_Paper.pdf.

⁴⁸ National Collegiate Athletic Association, *Life Skills*, <https://www.ncaa.org/sports/2014/10/20/life-skills.aspx> (last visited Feb. 2, 2023).

⁴⁹ National Association of Intercollegiate Athletics, *Student-Athlete Wellness Center*, <https://www.naia.org/student-athlete-wellness-center/index> (last visited Jan. 31, 2023).

⁵⁰ Section 468.452(2), F.S.

⁵¹ An agent contract is the contract or agreement in which a student athlete authorizes an athlete agent to represent the student in the marketing of the student's athletic ability or athletic reputation. Section 468.452(1), F.S.

background check.⁵² In the 2020-2021 fiscal year, there were 438 licensed athlete agents in Florida.⁵³

An unlicensed person is generally prohibited from acting as an athlete agent.⁵⁴ However, an unlicensed individual may act as an athlete agent if:⁵⁵

- A student athlete or person acting on the student athlete's behalf initiates communication with the individual; and
- The individual submits an application for licensure within seven days after an initial act as an athlete agent.

Contrary to any athletic association rules or policies, an athlete agent may represent an intercollegiate athlete in securing compensation for the use of her or his NIL.⁵⁶ However, a person must be licensed as an athlete agent to represent an intercollegiate athlete for purposes of contracts regarding the use of her or his NIL.⁵⁷

III. Effect of Proposed Changes:

HB 7-B amends s. 1006.74, F.S., relating to intercollegiate athlete compensation and rights. The bill retains the Legislative finding that intercollegiate athletes must be able to profit from the commercial use of their name, image, and likeness (NIL), and be protected from unauthorized use of and commercial exploitation of his or her NIL. However, the bill removes:

- Requirements regarding compensation that intercollegiate athletes may earn from the use of their NIL and restrictions on institutional involvement in NIL activities.
- Requirements and prohibitions for postsecondary educational institutions whose intercollegiate athletes seek to earn compensation or to have professional representation.
- Restrictions relating to contracts for the use of an intercollegiate athlete's NIL.

The bill retains, with some modifications, the requirement for an institution to conduct five-hour financial literacy and life skills workshops with specified topics. The bill:

- Requires the institution to conduct at least two workshops, but specifies the workshops must be conducted prior to an athlete's graduation, and does not specify a workshop in the athlete's first and third academic years.
- Adds entrepreneurship as a workshop topic.
- Specifies that the workshops may not be identical, and the second must include more rigorous instruction. The workshops may not be conducted in the same semester.

The bill protects postsecondary institutions and their staff from liability related to loss of an athlete's ability to NIL compensation due to routine decisions taken in the course of intercollegiate athletics.

⁵² Fla. Admin Code R. 61-24.004.

⁵³ Florida Department of Business and Professional Regulation, *Fiscal Year 2020-2021 Annual Report* (2021), page 20, available at http://www.myfloridalicense.com/DBPR/os/documents/divisionannualreport_FY2021.pdf.

⁵⁴ Section 468.4561, F.S.

⁵⁵ Section 468.453(3), F.S.

⁵⁶ Section 468.453(9), F.S.

⁵⁷ Section 468.453(8), F.S.

Regarding athlete agents, the bill modifies s. 468.453, F.S., to remove the provision relating to an athlete agent representing an intercollegiate athlete for NIL purposes, which is unnecessary because of a similar authorization under NCAA Interim Rules. However, the bill maintains the requirement that an athlete agent be licensed for the purposes of contracts that allow an intercollegiate athlete to profit from the commercial use of her or his NIL, and be protected from unauthorized appropriation and commercial exploitation of her or his right to publicity, including her or his NIL.

Removing Florida's law addressing compensation for the use of an athlete's NIL would authorize a student to engage in NIL activities, subject to institution rules and policies, without impact on NCAA eligibility bylaws. However, other NCAA rules including prohibitions on pay-for-play and improper recruiting inducements would remain in effect.

The bill is effective upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 468.453 and 1006.74 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

HB7B

2023B

1 A bill to be entitled
 2 An act relating to intercollegiate athlete
 3 compensation and rights; amending s. 468.453, F.S.;
 4 revising requirements for athlete agents representing
 5 intercollegiate athletes for certain purposes;
 6 conforming provisions to changes made by the act;
 7 amending s. 1006.74, F.S.; deleting definitions;
 8 deleting requirements regarding the compensation that
 9 intercollegiate athletes may receive; deleting certain
 10 requirements for postsecondary educational
 11 institutions whose intercollegiate athletes seek to
 12 earn compensation or to have professional
 13 representation; requiring a postsecondary educational
 14 institution to conduct at least two financial
 15 literacy, life skills, and entrepreneurship workshops
 16 under certain conditions; making technical changes;
 17 providing that postsecondary educational institutions
 18 and specified individuals are not liable for damages
 19 under certain circumstances; providing an effective
 20 date.
 21
 22 Be It Enacted by the Legislature of the State of Florida:
 23
 24 Section 1. Subsections (8) and (9) of section 468.453,
 25 Florida Statutes, are amended to read:

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26 468.453 Licensure required; qualifications; license
 27 nontransferable; service of process; temporary license; license
 28 or application from another state.-
 29 (8) Notwithstanding subsection (3), a person must hold a
 30 valid license as an athlete agent to act as an athlete agent
 31 representing an intercollegiate athlete for purposes of
 32 contracts that allow an intercollegiate athlete to profit from
 33 the commercial use of her or his name, image, or likeness and to
 34 be protected from unauthorized appropriation and commercial
 35 exploitation of her or his right to publicity, including her or
 36 his name, image, or likeness authorized under s. 1006.74.
 37 ~~(9) Notwithstanding athletic conference or collegiate~~
 38 ~~athletic association rules, bylaws, regulations, and policies to~~
 39 ~~the contrary, an athlete agent may represent an intercollegiate~~
 40 ~~athlete in securing compensation for the use of her or his name,~~
 41 ~~image, or likeness under s. 1006.74.~~
 42 Section 2. Section 1006.74, Florida Statutes, is amended
 43 to read:
 44 1006.74 Intercollegiate athlete compensation and rights.-
 45 The Legislature finds that intercollegiate athletics provide
 46 intercollegiate athletes with significant educational
 47 opportunities. However, participation in intercollegiate
 48 athletics should not infringe upon an intercollegiate athlete's
 49 ability to earn compensation for her or his name, image, or
 50 likeness. An intercollegiate athlete must have an equal

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51 opportunity to control and profit from the commercial use of her
 52 or his name, image, or likeness, and be protected from
 53 unauthorized appropriation and commercial exploitation of her or
 54 his right to publicity, including her or his name, image, or
 55 likeness.

56 (1) For the purpose of ~~DEFINITIONS. As used in this~~
 57 ~~section, the term:~~

58 ~~(a) "Athletic program" means an intercollegiate athletic~~
 59 ~~program at a postsecondary educational institution.~~

60 ~~(b) "Intercollegiate athlete" means a student who~~
 61 ~~participates in an athletic program.~~

62 ~~(c) "Postsecondary educational institution" means a state~~
 63 ~~university, a Florida College System institution, or a private~~
 64 ~~college or university receiving aid under chapter 1009.~~

65 (2) ~~INTERCOLLEGIATE ATHLETE COMPENSATION AND RIGHTS AND~~
 66 ~~POSTSECONDARY EDUCATIONAL INSTITUTION RESPONSIBILITIES.~~

67 ~~(a) An intercollegiate athlete at a postsecondary~~
 68 ~~educational institution may earn compensation for the use of her~~
 69 ~~or his name, image, or likeness. Such compensation must be~~
 70 ~~commensurate with the market value of the authorized use of the~~
 71 ~~athlete's name, image, or likeness. To preserve the integrity,~~
 72 ~~quality, character, and amateur nature of intercollegiate~~
 73 ~~athletics and to maintain a clear separation between amateur~~
 74 ~~intercollegiate athletics and professional sports, such~~
 75 ~~compensation may not be provided in exchange for athletic~~

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76 ~~performance or attendance at a particular institution and may~~
 77 ~~only be provided by a third party unaffiliated with the~~
 78 ~~intercollegiate athlete's postsecondary educational institution.~~

79 ~~(b) A postsecondary educational institution may not adopt~~
 80 ~~or maintain a contract, rule, regulation, standard, or other~~
 81 ~~requirement that prevents or unduly restricts an intercollegiate~~
 82 ~~athlete from earning compensation for the use of her or his~~
 83 ~~name, image, or likeness. Earning such compensation may not~~
 84 ~~affect the intercollegiate athlete's grant-in-aid or athletic~~
 85 ~~eligibility.~~

86 ~~(c) A postsecondary educational institution, an entity~~
 87 ~~whose purpose includes supporting or benefiting the institution~~
 88 ~~or its athletic programs, or an officer, director, or employee~~
 89 ~~of such institution or entity may not compensate or cause~~
 90 ~~compensation to be directed to a current or prospective~~
 91 ~~intercollegiate athlete for her or his name, image, or likeness.~~

92 ~~(d) A postsecondary educational institution may not~~
 93 ~~prevent or unduly restrict an intercollegiate athlete from~~
 94 ~~obtaining professional representation by an athlete agent or~~
 95 ~~attorney engaged for the purpose of securing compensation for~~
 96 ~~the use of her or his name, image, or likeness. Pursuant to s.~~
 97 ~~468.453(8), an athlete agent representing an intercollegiate~~
 98 ~~athlete for purposes of securing compensation for the use of her~~
 99 ~~or his name, image, or likeness must be licensed under part IX~~
 100 ~~of chapter 468. An attorney representing an intercollegiate~~

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101 ~~athlete for purposes of securing compensation for the use of her~~
 102 ~~or his name, image, or likeness must be a member in good~~
 103 ~~standing of The Florida Bar.~~

104 ~~(e) A grant-in-aid, including cost of attendance, awarded~~
 105 ~~to an intercollegiate athlete by a postsecondary educational~~
 106 ~~institution is not compensation for the purposes of this~~
 107 ~~subsection and may not be revoked or reduced as a result of an~~
 108 ~~intercollegiate athlete earning compensation or obtaining~~
 109 ~~professional representation under this subsection.~~

110 ~~(f) An intercollegiate athlete under 18 years of age must~~
 111 ~~have any contract for compensation for the use of her or his~~
 112 ~~name, image, or likeness approved under ss. 743.08 and 743.09.~~

113 ~~(g) An intercollegiate athlete's contract for compensation~~
 114 ~~for the use of her or his name, image, or likeness may not~~
 115 ~~violate this subsection.~~

116 ~~(h) An intercollegiate athlete may not enter into a~~
 117 ~~contract for compensation for the use of her or his name, image,~~
 118 ~~or likeness if a term of the contract conflicts with a term of~~
 119 ~~the intercollegiate athlete's team contract. A postsecondary~~
 120 ~~educational institution asserting a conflict under this~~
 121 ~~paragraph must disclose each relevant contract term that~~
 122 ~~conflicts with the team contract to the intercollegiate athlete~~
 123 ~~or her or his representative.~~

124 ~~(i) An intercollegiate athlete who enters into a contract~~
 125 ~~for compensation for the use of her or his name, image, or~~

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126 ~~likeness shall disclose the contract to the postsecondary~~
 127 ~~educational institution at which she or he is enrolled, in a~~
 128 ~~manner designated by the institution.~~

129 ~~(j) The duration of a contract for representation of an~~
 130 ~~intercollegiate athlete or compensation for the use of an~~
 131 ~~intercollegiate athlete's name, image, or likeness may not~~
 132 ~~extend beyond her or his participation in an athletic program at~~
 133 ~~a postsecondary educational institution.~~

134 ~~(k)~~ A postsecondary educational institution must ~~shall~~
 135 conduct at least two ~~a~~ financial literacy, and life skills, and
 136 entrepreneurship workshops, each workshop for a minimum of 5
 137 hours, before the graduation of an intercollegiate athlete at
 138 the beginning of the intercollegiate athlete's first and third
 139 academic years. The workshops may not be identical, and the
 140 second workshop must include more rigorous instruction. The
 141 workshops may not be conducted in the same semester. Each ~~The~~
 142 workshop must ~~shall~~, at a minimum, include information
 143 concerning entrepreneurship, financial aid, debt management, and
 144 a recommended budget for full and partial grant-in-aid
 145 intercollegiate athletes based on the current academic year's
 146 cost of attendance. Each ~~The~~ workshop must ~~shall~~ also include
 147 information on time management skills necessary for success as
 148 an intercollegiate athlete and available academic resources.
 149 Each ~~The~~ workshop may not include any marketing, advertising,
 150 referral, or solicitation by providers of financial products or

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151 services.

152 (3) A postsecondary educational institution or an employee

153 of such institution, including an athletic coach, is not liable

154 for any damages to an intercollegiate athlete's ability to earn

155 compensation for the use of her or his name, image, or likeness

156 resulting from decisions and actions routinely taken in the

157 course of intercollegiate athletics.

158 (4) ~~REGULATIONS AND RULES.~~ The Board of Governors and the

159 State Board of Education shall adopt regulations and rules,

160 respectively, to implement this section.

161 Section 3. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: HB 11-B

INTRODUCER: Representative Daley

SUBJECT: Sunshine Water Control District, Broward County

DATE: February 9, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hunter	Twogood	RC	Favorable

I. Summary:

HB 11-B is a local bill that reaffirms and continues the Sunshine Water Control District's (district) authority to raise revenue and pay outstanding bonds and other obligations without interruption. The bill codifies, reenacts, and amends the charter of the district and repeals the special acts and judicial decree that created the district. The bill reaffirms the district's boundaries, the applicability of ch. 298, F.S., including the power to levy and collect taxes as provided in that chapter, the powers of the district to construct and maintain roads, and the transition to a governing five-member board.

The bill further provides that, notwithstanding s. 189.0311(2), F.S., the district is not dissolved as of June 1, 2023, but continues in full force and effect.

II. Present Situation:

Special Districts

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.¹ A special district may be created by general law, special act, local ordinance, or rule of the Governor and Cabinet.² A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter.³ Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.⁴

¹ Section 189.012(6), F.S. *See also* *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547-48 (Fla. 2019).

² Section 189.012(6), F.S.

³ Sections 189.02(4)-(5) and 189.031(3), F.S. Counties and municipalities have "home rule" powers allowing them to enact ordinances not inconsistent with general or special law for governmental, corporate, or proprietary purposes. Special districts do not possess home rule powers and are permitted to impose only those taxes, assessments, or fees authorized by special or general law. FLA. CONST. art VIII, ss. 1(f) and (g), 2(b), s. 6(e) and sections 125.01 and 166.021, F.S. *See also* *Local Gov't Formation Manual* 62, available at <https://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?CommitteeId=3227> (last visited Feb. 8, 2023).

⁴ *Local Gov't Formation Manual* at 62.

A “dependent special district” is a special district meeting at least one of the following criteria:

- The membership of the district’s governing body is identical to the governing body of a single county or municipality;
- All members of the district’s governing body are appointed by the governing body of a single county or municipality;
- Members of the district’s governing body are removable at will by the governing body of a single county or municipality; or
- The district’s budget is subject to approval by the governing body of a single county or municipality.⁵

An “independent special district” is any district that is not a dependent special district or one that includes more than one county unless the district lies wholly within a single municipality.⁶

According to the Department of Economic Opportunity’s (DEO) Special District Accountability Program Official List of Special Districts (Official List of Districts), there are 1,918 special districts, including 1,303 independent special districts and 615 dependent districts.⁷

Special districts do not possess “home rule” powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.⁸

Generally, the maximum millage rate for an independent special district is the millage rate authorized by law and approved by the electors of the district in a referendum.⁹ The 1968 Florida Constitution, however, provides that independent special districts with ad valorem tax authority established by law before its effective date may continue to exercise that authority, but that the authority may be restricted or withdrawn by law unless such power is necessary to pay outstanding debts.¹⁰

Formation and Charter of an Independent Special District

With the exception of community development districts,¹¹ the charter for an independent special district must include the minimum elements required by ch. 189, F.S.¹² Charters of independent special districts must address and include a list of required provisions, including the purpose of

⁵ Section 189.012(2), F.S.

⁶ Section 189.012(3), F.S. Independent special districts are created by the Legislature, unless another mechanism is authorized by general law. *See, e.g.* section 190.005, F.S. (community development districts may be created by a county, municipality, or the Florida Land and Water Adjudicatory Commission, depending on the size and location of the district).

⁷ Dept. of Economic Opportunity, Special Dist. Accountability Program, “Official List of Special Districts,” available at <http://specialdistrictreports.floridajobs.org/webreports/criteria.aspx> (last visited Feb. 8, 2023).

⁸ FLA. CONST. art VII, s. 9(a)

⁹ FLA. CONST. art VII, s. 9(b)

¹⁰ FLA. CONST. art XII, ss. 2, 15 *See also* FLA. CONST. art. IX, s. 2 (1885), *amended by* SJR 69 (1939) (approved by the voters Nov. 5, 1940) (prohibition on state levy of ad valorem taxes for state purposes). *Bailey v. Ponce de Leon Port Authority*, 398 So. 2d 812 (Fla. 1981); *see also Hillsborough County v. Tampa Port Authority*, 563 So. 2d 1108 (Fla. 2d DCA 1990).

¹¹ Section 189.0311, F.S.; *see* section 190.004, F.S. (providing that ch. 190, F.S., governs the functions and powers of independent community development districts).

¹² Sections 189.031(1) and (3), F.S., sets forth the minimum charter requirements for an independent special district.

the district, its geographical boundaries, taxing authority, bond authority, and selection procedures for the members of its governing body.¹³

Independent Special District Dissolution

Generally, an independent special district may be dissolved in one of the four following ways:

- Voluntary dissolution by a majority vote plus one of the district's board;¹⁴
- For districts created by special act, the passage of a special act dissolving the district, subject to approval by a majority vote of the residents or landowners of the district;¹⁵
- For districts created by a local government, voter approval of a referendum dissolving the district or by the procedure used to create the district;¹⁶ or
- For districts that have been declared inactive by DEO, by special act or ordinance without a referendum.¹⁷

Additionally, s. 189.0311(2), F.S., provides for the dissolution of all independent special districts created by special act prior to the ratification of the Florida Constitution on November 5, 1968, if those districts are not reestablished, re-ratified, or otherwise reconstituted by a special act or general law after that date.¹⁸ Such districts dissolve on June 1, 2023, unless re-established pursuant to the requirements and limitations of ch. 189, F.S., on or after that date. According to the Official List of Districts, 132 active independent special districts were created by special act before November 5, 1968,¹⁹ and of those districts, six do not operate under a charter that was reestablished, re-ratified, or otherwise reconstituted by a special act or general law after November 5, 1968.²⁰

Unless otherwise provided by law or ordinance, all assets and liabilities of a dissolved independent special district are transferred to the local general-purpose government having jurisdiction over the territory of the district.²¹

Water Control Districts

Chapter 298, F.S., governs the creation and operation of water control districts (WCD). A WCD has authority and responsibility to construct, complete, operate, maintain, repair, and replace any and all works and improvements necessary to execute the water control plan adopted by that district.²² A WCD may build and construct any other works and improvements deemed

¹³ Sections 189.031(3), F.S. (setting forth the minimum charter requirements).

¹⁴ Section 189.072(1), F.S. If the district was created by special act, dissolution also requires a special act of the Legislature to take effect.

¹⁵ Section 189.072(2)(a), F.S.

¹⁶ Section 189.072(2)(b), F.S. If the district has the power to levy ad valorem taxes, a referendum is required for dissolution. FLA. CONST. art. VII, s. 9(b).

¹⁷ Section 189.072(3), F.S.

¹⁸ Created by ch. 2022-266, Laws of Fla.

¹⁹ Dept. of Economic Opportunity, Special District Accountability Program, "Official List of Special Districts," available at <http://specialdistrictreports.floridajobs.org/webreports/criteria.aspx> (last visited Feb. 8, 2023).

²⁰ Bradford County Development Authority, Bradford County; Eastpoint Water and Sewer District, Franklin County; Hamilton County Development Authority, Hamilton County; Marion County Law Library, Marion County; Reedy Creek Improvement District, Orange and Osceola Counties; and Sunshine Water Control District, Broward County will dissolve on June 1, 2023, unless re-established pursuant to the requirements and limitations of ch. 189, F.S., on or after that date. Of those scheduled to sunset, Eastpoint Water and Sewer District, Reedy Creek Improvement District, and Sunshine Water Control District have debt obligations.

²¹ Sections 189.072(4) and 189.076(2), F.S.

²² Section 298.22, F.S.

necessary to preserve and maintain the works in or out of said district. A WCD also may acquire, construct, operate, maintain, use, purchase, sell, lease, convey, or transfer real or personal property, including pumping stations, pumping machinery, motive equipment, electric lines and all appurtenant or auxiliary machines, devices, or equipment.²³

Prior to July 1, 1980, WCDs were created by the submission of a petition signed by a majority of the landowners in the area of the proposed district to the circuit court that had jurisdiction over the area.²⁴ Today, WCDs may be created only by special act or by county ordinance.²⁵

Most WCDs are governed by a three-member board composed of landowners within the district who are also residents of the county where the district is located.²⁶ Landowners vote for the governing board of the district on a one-acre/one-vote basis, with the three persons receiving the highest number of votes elected in the initial election.²⁷ Landowners may vote in person or by a signed proxy statement. The landowners at the initial election determine the length of the term of office for the initial board, selecting one member to serve a one-, two-, or three-year term, respectively. All members subsequently elected serve a three-year term, with one member of the board elected by the landowners each year.²⁸

Sunshine Water Control District

The Sunshine Water Control District (district) is an independent special district in Broward County, created by a decree of the Fifteenth Judicial Circuit in 1963²⁹ and subsequently ratified and approved by a special act the same year.³⁰ The district provides water management improvements and services to support local development, maintaining 5,422 acres of canals and right-of-way property providing drainage and flood protection to 17,000 landowners in Coral Springs.³¹ For its 2020-2021 Fiscal Year (FY), the district reported outstanding long-term debt of \$12,004,956. The district's proposed budget for FY 2022-23 is \$3.6 million, derived almost entirely from special assessments.³²

In 2021, the Legislature amended the district's charter, increasing the board from three to five members and requiring each board member to be elected by the qualified electors of the district.³³ However, the bill required the voters of the district to approve the proposed amendment before it could go into effect and required a referendum be held on November 8,

²³ Section 298.22(3), F.S.

²⁴ Section 298.01, F.S. (authorizing "water control districts established prior to July 1, 1980, pursuant to the process formerly contained in this section and former ss. 298.02 and 298.03, may continue to operate as outlined in this chapter.") See also s. 298.01, F.S. (1980) and ch. 79-5, ss. 1-3, Laws of Fla. Originally, the Board of Drainage Commissioners for the State also had authority to prepare and file a petition to form a drainage district. See ch. 6458, s. 1, Laws of Fla. (1913).

²⁵ Section 289.01, F.S.

²⁶ Section 298.11(1), F.S.

²⁷ Section 298.11(2), F.S. Landowners who own less than one acre receive one vote, while landowners who own more than one acre are entitled to additional votes for any fraction of an acre greater than one-half owned in addition to votes equal to the number of whole acres owned.

²⁸ Section 298.12(1), F.S.

²⁹ Decree in chancery no. 62-4569-F (Jan. 23, 1963) entered by the Circuit Court in and for the Fifteenth Judicial Circuit of Florida.

³⁰ Ch. 63-609, s. 1, Laws of Fla.

³¹ *About the District*, Sunshine Water Control District, available at: <https://www.sunshinewcd.net/about.php> (last visited Feb. 8, 2023).

³² *Sunshine Water Control District Adopted Budget Fiscal Year 2021*, Sunshine Water Control District, available at <https://www.sunshinewcd.net/assets/documents/fy-2023/2022-SWCD-budget-proposed.pdf?v=1666205375> (last visited Feb. 8, 2023).

³³ Ch. 2021-255, s. 1, Laws of Fla.

2022, for that purpose. At the referendum held on that date, the voters approved the referendum question and ch. 2021-255, s. 1, Laws of Fla., went into effect.³⁴

III. Effect of Proposed Changes:

The bill ratifies and confirms the continued existence of the Sunshine Water Control District (district) and provides legislative intent to preserve the district's necessary authority to generate revenue and pay outstanding indebtedness as provided in its original charter as such authority was preserved by Art. XII, ss. 2 and 15 of the Florida Constitution.

The bill codifies, reenacts, and amends the charter of the district and repeals chs. 63-609 and 2021-255, Laws of Fla., and the decree in chancery No. 62-4596-F entered by the Fifteenth Judicial Circuit Court creating the district.

The bill further reaffirms and continues the district's boundaries, the applicability of ch. 298, F.S., including the power to levy taxes and collect taxes as provided in that chapter, the powers of the district to construct and maintain roads, and the transition to a governing five-member board elected by the qualified electors of the district beginning in 2024.

Finally, the bill provides that, notwithstanding s. 189.0311(2), F.S., the district is not dissolved as of June 1, 2023, but continues in full force and effect.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

This bill is a local law, an important distinction because the State Constitution imposes special requirements on local laws and prohibits local laws on specified subjects where

³⁴ Election results from Broward County Supervisor of Elections website, available at <https://enr.electionsfl.org/BRO/3281/Summary/> (last visited Feb 8, 2022).

the law should be uniform statewide. The general guiding test to distinguish the difference is:

A statute relating to subdivisions of the state or to subjects or to persons or things of a class, based upon proper distinctions and differences that inhere in or are peculiar or appropriate to the class, is a 'general law'; while a statute relating to particular subdivisions or portions of the state, or to particular classified localities, is a local law. . .³⁵

Section 10 Article III of the State Constitution requires that notice of intent to seek enactment of a local law be published in the manner provided by general law,³⁶ or that the local law be conditioned to take effect only upon approval by vote of the area affected. A local law must satisfy one of these requirements or it is unconstitutional.³⁷

Notice was published on December 19, 2022, in the Sun-Sentinel, a daily newspaper of general circulation in Broward, Miami-Dade, and Palm Beach counties, FL.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not appear to have a fiscal impact on the district.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill repeals, reenacts, and amends chapters 63-609 and 2021-255, Laws of Florida.

³⁵ State *ex rel.* Buford v. Daniel, 99 So. 804 (1924)

³⁶ Sections 11.02, 11.021, and 11.03, F.S.

³⁷ Barndollar v. Sunset Realty Corp., 379 So.2d 1278 (Fla. 1979)

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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1 A bill to be entitled
 2 An act relating to the Sunshine Water Control
 3 District, Broward County; codifying, reenacting,
 4 amending, and repealing the district charter;
 5 providing legislative intent; providing for
 6 continuation of authority for revenue collection and
 7 powers to meet outstanding obligations; providing a
 8 definition; repealing chapters 63-609 and 2021-255,
 9 Laws of Florida, and chancery decree No. 62-4596-F,
 10 relating to the district; providing an exception to
 11 general law; providing an effective date.

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

14
 15 Section 1. Chapters 63-609 and 2021-255, Laws of Florida,
 16 relating to the Sunshine Water Control District, formerly known
 17 as the Sunshine Drainage District, and the decree in chancery
 18 No. 62-4596-F entered by the Circuit Court in and for the
 19 Fifteenth Judicial Circuit of the State of Florida on January
 20 23, 1963, creating and incorporating the Sunshine Drainage
 21 District as a public corporation of the State of Florida, are
 22 codified, reenacted, amended, and repealed as provided herein.
 23 Furthermore, it is the intent of the Legislature to preserve all
 24 authority to generate revenue and pay outstanding indebtedness
 25 as continued in force by the operation of ss. 2 and 15, Art. XII

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26 of the State Constitution.
 27 Section 2. The charter for the Sunshine Water Control
 28 District is reenacted to read:
 29 Section 1. The Sunshine Water Control District, as
 30 ratified and approved by chapter 63-609, Laws of Florida, and
 31 subsequently amended by chapter 2021-255, Laws of Florida, is
 32 hereby ratified, confirmed, and approved. The Sunshine Water
 33 Control District shall continue to be a public corporation of
 34 this state and have perpetual existence. All lawful debts,
 35 bonds, obligations, contracts, franchises, promissory notes,
 36 audits, minutes, resolutions, and other undertakings of the
 37 Sunshine Water Control District are hereby validated and shall
 38 continue to be valid and binding on the district in accordance
 39 with their respective terms, conditions, and covenants. All
 40 taxes levied by the Board of Supervisors of the Sunshine Water
 41 Control District are validated and shall continue to be valid
 42 and binding on the district in accordance with their respective
 43 terms, conditions, and covenants. All taxes levied by the Board
 44 of Supervisors of the Sunshine Water Control District on lands
 45 within the boundaries of the district shall continue to be
 46 effective, binding, and collectible and a lien on such lands in
 47 accordance with this act. Any proceeding commenced by the
 48 Sunshine Water Control District for the construction of any
 49 improvements, works, or facilities; for the assessment of
 50 benefits and damages; or for the borrowing of money shall not be

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51 impaired or avoided by this act.

52 Section 2. Boundaries.—The Sunshine Water Control District
 53 shall include all of the lands within the following described
 54 boundaries:

55 The West five-eighths (W. 5/8) of Section 14, TOGETHER WITH
 56 Sections 16, 18, 20 and 22, Township 48 South, Range 41
 57 East, Broward County, Florida.

58 TOGETHER WITH Sections 15, 17, 19 and 21, Township 48
 59 South, Range 41 East, according to the plat of FLORIDA
 60 FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, as recorded in
 61 Plat Book 1, Page 102, of the Public Records of Palm Beach
 62 County, Florida.

63 TOGETHER WITH a strip of land known as the Sunshine
 64 Drainage District East Outfall Canal Right of Way, said
 65 strip of land being that portion of Section 27, Township 48
 66 South, Range 41 East, according to the plat of FLORIDA
 67 FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, as recorded in
 68 Plat Book 1, Page 102, of the Public Records of Palm Beach
 69 County, Florida, lying East of a line parallel with and 170
 70 feet West of the East line of said Section 27; TOGETHER
 71 WITH the East 170 feet of that portion of Section 34,
 72 Township 48 South, Range 41 East, Broward County, Florida,
 73
 74
 75

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76 lying North of the North Right of Way line of South Florida
 77 Water Management District (formerly Central and Southern
 78 Florida Flood Control District) Canal C-14.

79
 80 TOGETHER WITH a 170 foot wide strip of land, known as the
 81 Sunshine Drainage District West Outfall Canal Right of Way,
 82 said strip of land being portions of Sections 28 and 32,
 83 Township 48 South, Range 41 East, Broward County, Florida,
 84 and a portion of Section 29, Township 48 South, Range 41
 85 East, according to the plat of FLORIDA FRUIT LANDS
 86 COMPANY'S SUBDIVISION NO. 2, as recorded in Plat Book 1,
 87 Page 102, of the Public Records of Palm Beach County,
 88 Florida, as described in Official Records Book 5345, Pages
 89 483 through 486, inclusive, of the Public Records of
 90 Broward County, Florida.

91
 92 TOGETHER WITH a 60 foot wide strip of land being a portion
 93 of Section 33, Township 48 South, Range 41 East, according
 94 to the plat of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION
 95 NO. 2, as recorded in Plat Book 1, Page 102, of the Public
 96 Records of Palm Beach County, Florida, bounded on the West
 97 by the West line of said Section 33, and bounded on the
 98 North, East and South by Tract "T" (Park) OAKLAND WOOD,
 99 according to the Plat thereof, recorded in Plat Book 80,
 100 Page 39, of the Public Records of Broward County, Florida.

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101 TOGETHER WITH portions of Sections 12, 13 and 24, Township
 102 48 South, Range 40 East, Broward County, Florida, lying
 103 East of the East Right-of-Way line of LEVEE L-36 (600 foot
 104 Canal Right-of-Way), lying North of the Westerly extension
 105 of the South line of said Section 19, Township 48 South,
 106 Range 41 East, and lying South of the Westerly extension of
 107 the North line of said Section 18, Township 48 South, Range
 108 41 East, Broward County, Florida.

110 Said lands lying and situate in the City of Coral Springs,
 111 Broward County, Florida, containing 5533.5 acres, more or
 112 less.

114 Section 3. Chapter 298, Florida Statutes, made
 115 applicable.—The Sunshine Water Control District, a public
 116 corporation of this state, created under chapter 298, Florida
 117 Statutes, shall be governed by chapter 298, Florida Statutes, as
 118 may be subsequently amended, so far as not inconsistent with
 119 this act or any subsequent special acts relating to the Sunshine
 120 Water Control District.

121 Section 4. Powers of the district.—The Sunshine Water
 122 Control District shall have, in addition to the powers provided
 123 for in chapter 298, Florida Statutes, the power and authority to
 124 construct, improve, pave, and maintain roadways and roads
 125

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126 necessary and convenient to provide access to and efficient
 127 development of areas made suitable and available for the
 128 cultivation, settlement, urban subdivision, homesites, and other
 129 beneficial use and development as a result of the drainage and
 130 reclamation operations of the district, including any dedicated
 131 to public use within the boundaries of the district.

132 Section 5. Levy of taxes on fractional acres.—In levying
 133 and assessing all taxes, each tract or parcel of land less than
 134 one acre in area shall be assessed as a full acre, and each
 135 tract or parcel of land more than one acre in area which
 136 contains a fraction of an acre shall be assessed at the nearest
 137 whole number of acres, a fraction of one-half or more to be
 138 assessed as a full acre.

139 Section 6. Application to existing district, boundaries,
 140 plan of reclamation, and drainage, etc.—The powers hereinabove
 141 vested in the Board of Supervisors of the Sunshine Water Control
 142 District shall apply to the presently existing district, the
 143 presently existing boundaries thereof or as the boundaries may
 144 be extended as authorized by law, and the present plan of
 145 reclamation and drainage together with any assessment of
 146 benefits which may be approved by law, and the boundaries of
 147 said district and the plan of reclamation and drainage and the
 148 assessment and levying of taxes for carrying out said plan of
 149 reclamation and drainage and for the maintenance and operation
 150 thereof, may be changed in whole or in part as units, or, with

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151 reference to the entire district, in accordance with chapter
 152 298, Florida Statutes, and this act.
 153 Section 7. Board of supervisors.—
 154 (1) Prior to November 5, 2024, the district is governed by
 155 a three-member board, elected on a 1-acre, one-vote basis by the
 156 landowners in the district. However, landowners owning less than
 157 1 acre shall be entitled to one vote. Landowners with more than
 158 1 acre shall be entitled to 1 additional acre for any fraction
 159 of an acre owned when all acreage has been aggregated for
 160 purposes of voting. The procedures for conducting district
 161 elections and for qualification of electors shall be pursuant to
 162 chapters 189 and 298, Florida Statutes, as they may be amended
 163 from time to time. However, a quorum for purposes of holding the
 164 annual meeting or any special meeting shall consist of those
 165 landowners present in person or represented by proxy at the
 166 meeting. The membership and organization of the board shall be
 167 as set forth in this act and chapter 298, Florida Statutes, as
 168 they may be amended from time to time.
 169 (2) As of November 5, 2024, the board of supervisors shall
 170 consist of five members.
 171 (3) Notwithstanding any provision of law to the contrary,
 172 members of the board of supervisors shall be elected by the
 173 qualified electors of the district. Election of board members by
 174 the qualified electors shall be the exclusive method for the
 175 election of the members of the board of supervisors.

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176 (4) The board of supervisors shall call an election at
 177 which the members of the board will be elected. Such election
 178 shall be held in conjunction with the general election in
 179 November 2024. Candidates may qualify for the offices of the
 180 board of supervisors, which shall be designated as seat 1, seat
 181 2, seat 3, seat 4, and seat 5, each elected at large within the
 182 district. A candidate qualifying for election must be an elector
 183 and resident of the district. Each board member shall be elected
 184 by the qualified electors of the district for a term of 4 years,
 185 except that, at the first such election, the three members
 186 elected to seat 1, seat 2, and seat 3 shall be elected for terms
 187 of 4 years each, and the two members elected to seat 4 and seat
 188 5 shall be elected for terms of 2 years each. Thereafter, there
 189 shall be an election held every 2 years for expiring terms and
 190 all members shall be elected for terms of 4 years each. The
 191 candidate receiving the most votes for each seat shall be
 192 elected. All elected board members must be qualified electors of
 193 the district. Members of the board of supervisors as of October
 194 1, 2023, shall serve until the certification of the November
 195 2024 general election results.
 196 (5) Elections of board members by qualified electors held
 197 pursuant to this section shall be nonpartisan and shall be
 198 conducted in a manner prescribed by law for holding general
 199 elections. Board members shall assume the office on the second
 200 Tuesday following their election.

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201 (6) Candidates seeking election to office by qualified
 202 electors under this section shall conduct their campaigns in
 203 accordance with chapter 106, Florida Statutes, and shall file
 204 qualifying papers and qualify for individual seats in accordance
 205 with s. 99.061, Florida Statutes. Candidates shall pay a
 206 qualifying fee, which shall consist of a filing fee and election
 207 assessment or, as an alternative, shall file a petition signed
 208 by not less than 1 percent of the qualified electors of the
 209 district, and take the oath required in s. 99.021, Florida
 210 Statutes, with the Supervisor of Elections of Broward County.
 211 The amount of the filing fee is 3 percent of the annual salary
 212 of the office. The amount of the election assessment is 1
 213 percent of the annual salary of the office. The filing fee and
 214 election assessment shall be distributed as provided in s.
 215 105.031(3), Florida Statutes.

216 (7) The Supervisor of Elections of Broward County shall
 217 appoint the inspector and clerks of elections, prepare and
 218 furnish the ballots, designate polling places, and canvass the
 219 returns of the election of board members by qualified electors.
 220 The county canvassing board shall declare and certify the
 221 results of the election.

222 (8) The terms "qualified elector" and "elector" mean any
 223 person at least 18 years of age who is a citizen of the United
 224 States, a permanent resident of the state, and a resident of the
 225 county within which the district lands are located when the

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226 registration books are open.

227 Section 8. Severability.—In case any one or more of the
 228 sections or provisions of this act or the application of such
 229 sections or provisions to any situations, circumstances, or
 230 person shall for any reason be held to be unconstitutional, such
 231 unconstitutionality shall not affect any other sections or
 232 provisions of this act or the applications of such sections or
 233 provisions to any other situation, circumstances, or person, and
 234 it is intended that this law shall be construed and applied as
 235 if such section or provision had not been included herein for
 236 any unconstitutional application.

237 Section 9. Effect of conflict.—In the event of a conflict
 238 between the provisions of this act and the provisions of any
 239 other act, the provisions of this act shall control to the
 240 extent of such conflict.

241 Section 3. The provisions of this act shall be liberally
 242 construed to effect their purposes and shall be deemed
 243 cumulative, supplemental, and alternative authority for the
 244 exercise of the powers provided herein.

245 Section 4. Chapters 63-609 and 2021-255, Laws of Florida,
 246 and the decree in chancery No. 62-4596-F entered by the Circuit
 247 Court in and for the Fifteenth Judicial Circuit of the State of
 248 Florida on January 23, 1963, creating and incorporating the
 249 Sunshine Drainage District as a public corporation of the State
 250 of Florida, are repealed.

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251 Section 5. Notwithstanding s. 189.0311(2), Florida
252 Statutes, the Sunshine Water Control District is not dissolved
253 as of June 1, 2023, but continues in full force and effect.
254 Section 6. This act shall take effect upon becoming a law.

2/10/23

Meeting Date

Rules

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

11B

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Chris Lyon

Phone

850/222-5702

Address

106 E. College Ave., Ste. 1500

Email

clyonellw-law.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Sunshine Water Control District

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: HB 13-B

INTRODUCER: Representative Shoaf

SUBJECT: Eastpoint Water and Sewer District, Franklin County

DATE: February 9, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hunter	Twogood	RC	Favorable

I. Summary:

HB 13-B is a local bill that reaffirms and continues the Eastpoint Water and Sewer District's (district) authority to raise revenue and pay outstanding bonds and other obligations without interruption. The bill codifies, reenacts, and amends the charter of the district and repeals the special act that initially created it. The bill also makes the following revisions to the existing charter:

- Removes the definition of "county commissioners;"
- Removes the separate positions of secretary and treasurer of the district's board of supervisors (board) and creates a new position of board secretary-treasurer;
- Removes the requirement that warrants or checks be signed by the chair and treasurer, and now only requires that two board members sign;
- Removes authorization to provide fire services;
- Removes authorization to provide garbage collection services;
- Removes oversight authorization of discharge into waters in and outside of the district;
- Limits service extensions outside the district boundaries to properties currently receiving services; and
- Updates the threshold requirements triggering the need to advertise for bids.

The bill further provides that, notwithstanding s. 189.0311(2), F.S., the district is not dissolved as of June 1, 2023, but continues in full force and effect.

II. Present Situation:

Special Districts

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.¹ A special district may be created

¹ Section 189.012(6), F.S. See also *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547-48 (Fla. 2019).

by general law, special act, local ordinance, or rule of the Governor and Cabinet.² A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter.³ Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.⁴

A "dependent special district" is a special district meeting at least one of the following criteria:

- The membership of the district's governing body is identical to the governing body of a single county or municipality;
- All members of the district's governing body are appointed by the governing body of a single county or municipality;
- Members of the district's governing body are removable at will by the governing body of a single county or municipality; or
- The district's budget is subject to approval by the governing body of a single county or municipality.⁵

An "independent special district" is any district that is not a dependent special district or one that includes more than one county unless the district lies wholly within a single municipality.⁶

According to the Department of Economic Opportunity's (DEO) Special District Accountability Program Official List of Special Districts (Official List of Districts), there are 1,918 special districts, including 1,303 independent special districts and 615 dependent districts.⁷

Special districts do not possess "home rule" powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.⁸

Generally, the maximum millage rate for an independent special district is the millage rate authorized by law and approved by the electors of the district in a referendum.⁹ The 1968 Florida Constitution, however, provides that independent special districts with ad valorem tax authority established by law before its effective date may continue to exercise that authority, but that the

² Section 189.012(6), F.S.

³ Sections 189.02(4)-(5) and 189.031(3), F.S. Counties and municipalities have "home rule" powers allowing them to enact ordinances not inconsistent with general or special law for governmental, corporate, or proprietary purposes. Special districts do not possess home rule powers and are permitted to impose only those taxes, assessments, or fees authorized by special or general law. FLA. CONST. art VIII, ss. 1(f) and (g), 2(b), s. 6(e) and sections 125.01 and 166.021, F.S. See also *Local Gov't Formation Manual* 62, available at <https://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?CommitteeId=3227> (last visited Feb. 8, 2023).

⁴ *Local Gov't Formation Manual* at 62.

⁵ Section 189.012(2), F.S.

⁶ Section 189.012(3), F.S. Independent special districts are created by the Legislature, unless another mechanism is authorized by general law. See, e.g. section 190.005, F.S. (community development districts may be created by a county, municipality, or the Florida Land and Water Adjudicatory Commission, depending on the size and location of the district).

⁷ Dept. of Economic Opportunity, Special District Accountability Program, "Official List of Special Districts," available at <http://specialdistrictreports.floridajobs.org/webreports/criteria.aspx> (last visited Feb. 8, 2023).

⁸ FLA. CONST. art VII, s. 9(a)

⁹ FLA. CONST. art VII, s. 9(b)

authority may be restricted or withdrawn by law unless such power is necessary to pay outstanding debts.¹⁰

Formation and Charter of an Independent Special District

With the exception of community development districts,¹¹ the charter for an independent special district must include the minimum elements required by ch. 189, F.S.¹² Charters of independent special districts must address and include a list of required provisions, including the purpose of the district, its geographical boundaries, taxing authority, bond authority, and selection procedures for the members of its governing body.¹³

Independent Special District Dissolution

Generally, an independent special district may be dissolved in one of the four following ways:

- Voluntary dissolution by a majority vote plus one of the district's board;¹⁴
- For districts created by special act, the passage of a special act dissolving the district, subject to approval by a majority vote of the residents or landowners of the district;¹⁵
- For districts created by a local government, voter approval of a referendum dissolving the district or by the procedure used to create the district;¹⁶ or
- For districts that have been declared inactive by DEO, by special act or ordinance without a referendum.¹⁷

Additionally, s. 189.0311(2), F.S., provides for the dissolution of all independent special districts created by special act prior to the ratification of the Florida Constitution on November 5, 1968, if those districts are not reestablished, re-ratified, or otherwise reconstituted by a special act or general law after that date.¹⁸ Such districts dissolve on June 1, 2023, unless re-established pursuant to the requirements and limitations of ch. 189, F.S., on or after that date. According to the Official List of Districts, 132 active independent special districts were created by special act before November 5, 1968,¹⁹ and of those districts, six do not operate under a charter that was reestablished, re-ratified, or otherwise reconstituted by a special act or general law after November 5, 1968.²⁰

¹⁰ FLA. CONST. art XII, ss. 2, 15 See also FLA. CONST. art. IX, s. 2 (1885), amended by SJR 69 (1939) (approved by the voters Nov. 5, 1940) (prohibition on state levy of ad valorem taxes for state purposes). *Bailey v. Ponce de Leon Port Authority*, 398 So. 2d 812 (Fla. 1981); see also *Hillsborough County v. Tampa Port Authority*, 563 So. 2d 1108 (Fla. 2d DCA 1990).

¹¹ Section 189.0311, F.S.; see section 190.004, F.S. (providing that ch. 190, F.S., governs the functions and powers of independent community development districts).

¹² Sections 189.031(1) and (3), F.S., sets forth the minimum charter requirements for an independent special district.

¹³ Sections 189.031(3), F.S. (setting forth the minimum charter requirements).

¹⁴ Section 189.072(1), F.S. If the district was created by special act, dissolution also requires a special act of the Legislature to take effect.

¹⁵ Section 189.072(2)(a), F.S.

¹⁶ Section 189.072(2)(b), F.S. If the district has the power to levy ad valorem taxes, a referendum is required for dissolution. FLA. CONST. art. VII, s. 9(b).

¹⁷ Section 189.072(3), F.S.

¹⁸ Created by ch. 2022-266, Laws of Fla.

¹⁹ Dept. of Economic Opportunity, Special Dist. Accountability Program, "Official List of Special Districts," available at <http://specialdistrictreports.floridajobs.org/webreports/criteria.aspx> (last visited Feb. 8, 2023).

²⁰ Bradford County Development Authority, Bradford County; Eastpoint Water and Sewer District, Franklin County; Hamilton County Development Authority, Hamilton County; Marion County Law Library, Marion County; Reedy Creek Improvement District, Orange and Osceola Counties; and Sunshine Water Control District, Broward County will dissolve on June 1, 2023, unless re-established pursuant to the requirements and limitations of ch. 189, F.S., on or after that date. Of those scheduled to sunset, Eastpoint Water and Sewer District, Reedy Creek Improvement District, and Sunshine Water Control District have debt obligations.

Unless otherwise provided by law or ordinance, all assets and liabilities of a dissolved independent special district are transferred to the local general-purpose government having jurisdiction over the territory of the district.²¹

Eastpoint Water and Sewer District

The Eastpoint Water and Sewer District (District) is an independent special district created by special act in 1967.²² The district's purpose is to acquire, operate, and maintain water and sewer systems serving the unincorporated areas of Franklin County and other customers, as the district may determine.²³ The district is governed by a five-member board of supervisors (board) made up of landowners appointed by the Governor to serve four-year terms.²⁴ The board is authorized to set, revise, and collect rates and charges for water furnished, sewer systems, and garbage collection.²⁵ The rates and charges must:

- Pay the cost of operating and maintaining waterworks, sewage, and trash facilities of the district;
- Pay debt on outstanding bonds; and
- Provide for reserve funds.²⁶

Additionally, the board is authorized to levy an ad valorem tax of up to five mills.²⁷ For Fiscal Year 2021-2022, the total final budget of the district was \$1,602,326.05.²⁸ For that same fiscal year the district levied an ad valorem tax of 3.25 mills, an increase from the 3 mills levied the previous year.²⁹ Those receiving services outside of the district boundaries are charged an additional 40 percent surcharge on rates and fees.³⁰ In its most recent financial statement to the Department of Financial Services, the district reported \$2,872,835 in total long-term debt as of September 30, 2021.³¹

The district may expend its funds only to provide the services and exercise the powers authorized in the charter.³² The district currently serves approximately 1,100 residential, commercial, and industrial customers.³³

²¹ Sections 189.072(4) and 189.076(2), F.S.

²² Ch. 67-1399, Laws of Fla.

²³ Ch. 67-1399, s. 4, Laws of Fla.

²⁴ Ch. 67-1399, s. 5, Laws of Fla.

²⁵ Ch. 67-1399, s. 10, Laws of Fla.

²⁶ *Id.*

²⁷ Ch. 67-1399, s. 8(15), Laws of Fla.

²⁸ Eastpoint Water and Sewer District, *EWSD Budget Information*, "Final Budget 2021-2022," available at <https://ewsdfl.com/budgets> (last visited Feb. 8, 2023).

²⁹ *Id.*

³⁰ Eastpoint Water and Sewer District Water/Sewer User Agreement, available at <https://img1.wsimg.com/blobby/go/3204d8b4-6a1d-4b6c-9794-c464556ca29c/downloads/User%20Agreement%202022-2023.pdf?ver=1667398719337> (last visited Feb. 8, 2023).

³¹ Dept. of Financial Services, 2021 Local Government General Ad Hoc Report for Eastpoint Water and Sewer District, available at <https://apps.fldfs.com/LocalGov/Reports/AdHoc.aspx> (last visited Feb. 8, 2023).

³² *Halifax Hospital Medical Center*, *supra* at 547.

³³ Eastpoint Water and Sewer District, available at <https://ewsdfl.com/> (last visited Feb. 8, 2023).

III. Effect of Proposed Changes:

The bill ratifies and confirms the continued existence of the district and provides legislative intent to preserve the district's necessary authority to generate revenue and pay outstanding indebtedness as provided in its original charter as such authority was preserved by Art. XII, ss. 2 and 15 of the Florida Constitution.

Additionally, the bill makes the following revisions to the existing charter:

- Removes the definition of “county commissioners;”
- Removes the separate positions of board secretary and board treasurer and creates a new position of board secretary-treasurer;
- Removes the requirement that warrants or checks be signed by the chair and treasurer, and now only requires that two board members sign;
- Removes authorization to provide fire services;
- Removes authorization to provide garbage collection services;
- Removes oversight authorization of discharge into waters in and outside of the district;
- Limits service extensions outside of the district boundaries to properties currently receiving services; and
- Updates the threshold requirements triggering the need to advertise for bids.

The bill reaffirms and continues the district's authority to raise revenue and pay outstanding bonds and other obligations without interruption.

The bill provides that, notwithstanding s. 189.0311(2), F.S., the district is not dissolved as of June 1, 2023, but continues in full force and effect.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

This bill is a local law, an important distinction because the State Constitution imposes special requirements on local laws and prohibits local laws on specified subjects where the law should be uniform statewide. The general guiding test to distinguish the difference is:

A statute relating to subdivisions of the state or to subjects or to persons or things of a class, based upon proper distinctions and differences that inhere in or are peculiar or appropriate to the class, is a ‘general law’; while a statute relating to particular subdivisions or portions of the state, or to particular classified localities, is a local law. . .³⁴

Section 10 Article III of the State Constitution requires that notice of intent to seek enactment of a local law be published in the manner provided by general law,³⁵ or that the local law be conditioned to take effect only upon approval by vote of the area affected. A local law must satisfy one of these requirements or it is unconstitutional.³⁶

Notice was published on December 22, 2022, in The Times, a weekly newspaper published in Apalachicola, Franklin County, FL.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not appear to have a fiscal impact on the district.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

³⁴ State *ex rel.* Buford v. Daniel, 99 So. 804 (1924)

³⁵ Sections 11.02, 11.021, and 11.03, F.S.

³⁶ Barndollar v. Sunset Realty Corp., 379 So.2d 1278 (Fla. 1979)

VIII. Statutes Affected:

The bill repeals, reenacts, and amends chapter 67-1399 Laws of Florida.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

HB 13B

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A bill to be entitled

An act relating to the Eastpoint Water and Sewer District, Franklin County; reenacting, amending, and repealing the special act relating to the district; providing legislative intent; providing for continuation of authority for revenue collection and powers to meet outstanding obligations; revising definitions; removing the separate positions of board secretary and board treasurer; creating the position of board secretary-treasurer; providing purpose and construction; repealing chapter 67-1399, Laws of Florida, relating to the district; providing an exception to general law; providing an effective date.

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

Section 1. Chapter 67-1399, Laws of Florida, relating to the Eastpoint Water and Sewer District, Franklin County, is reenacted, amended, and repealed as provided in this act. Furthermore, it is the intent of the Legislature to preserve all authority to generate revenue and pay outstanding indebtedness as continued in force by the operation of ss. 2 and 15, Art. XII of the State Constitution.

Section 2. The charter for the Eastpoint Water and Sewer District is reenacted to read:

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Section 1. District ratified, restated, and approved.—The Eastpoint Water and Sewer District, an independent special taxing district created by chapter 67-1399, Laws of Florida, in Franklin County, is hereby ratified, confirmed, and approved. The Eastpoint Water and Sewer District shall continue to be a public corporation of this state and have perpetual existence. All lawful debts, bonds, obligations, contracts, franchises, promissory notes, audits, minutes, resolutions, and other undertakings of the Eastpoint Water and Sewer District are hereby validated and shall continue to be valid and binding on the district in accordance with their respective terms, conditions, and covenants. All taxes levied by the Board of Commissioners of the Eastpoint Water and Sewer District are hereby validated and shall continue to be valid and binding on the district in accordance with their respective terms, conditions, and covenants. All taxes levied by the Board of Commissioners of the Eastpoint Water and Sewer District on lands within the boundaries of the district shall continue to be effective, binding, and collectible and a lien on such lands in accordance with this act. Any proceeding commenced by the Eastpoint Water and Sewer District for the construction of any improvements, works, or facilities; for the assessment of benefits and damages; or for the borrowing of money shall not be impaired or avoided by this act.

Section 2. Boundaries.—The Eastpoint Water and Sewer

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HB 13B

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51 District shall include all that portion of Eastpoint in said
 52 county described as follows:

53
 54 All of Section 30 and all of Fractional Sections 29, 31,
 55 and 32 in Township 8 South, Range 6 West; All of Fractional
 56 Sections 25 and 36 in Township 8 South, Range 7 West; All
 57 of Fractional Section 1 in Township 9 South, Range 7 West
 58 and all of Fractional Section 6 in Township 9 South, Range
 59 6 West.

60
 61 Section 3. Definitions.-Whenever used in this act, unless
 62 a different meaning clearly appears from the context, the term:

63 (1) "Board" means the Board of Commissioners of the
 64 Eastpoint Water and Sewer District.

65 (2) "Bond" means a bond or revenue certificate or other
 66 financial obligation of the district which is part or all of an
 67 issue of such obligation, any one or more of which mature over 3
 68 years from the date of issue, issued pursuant to this act.

69 (3) "County" means Franklin County.

70 (4) "District" means the Eastpoint Water and Sewer
 71 District created and established by this act.

72 (5) "Sewage" means the water-carried wastes created in and
 73 carried or to be carried away from residences, hotels, schools,
 74 hospitals, industrial establishments, commercial establishments,
 75 or any other private or public building, together with such

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76 surface or ground water or household and industrial wastes as
 77 may be present.

78 (6) "Sewage disposal system" means any plant, system,
 79 facility, or property used or useful or having the present
 80 capacity for future use in connection with the collection,
 81 treatment, purification, or disposal of sewage, including
 82 industrial wastes resulting from any processes of industry,
 83 manufacture, trade, or business or from the development of any
 84 natural resources, or any integral part thereof, including, but
 85 not limited to, treatment, plants, pumping stations,
 86 intercepting sewers, trunk sewers, pressure lines, mains, and
 87 all necessary appurtenances and equipment, and all property,
 88 rights, easements, and franchises relating thereto and deemed
 89 necessary or convenient by the district for the operation
 90 thereof.

91 (7) "Sewer" includes sewerage.

92 (8) "Sewer system" includes both sewers and sewage
 93 disposal systems and all property, rights, easements, and
 94 franchises relating thereto.

95 (9) "Sewers" includes mains, pipes, and laterals for
 96 receiving sewage and carrying such sewage to an outfall or some
 97 part of a sewage disposal system, including, but not limited to,
 98 pumping stations, where deemed necessary by the district.

99 (10) "System" means a water system or sewer system or any
 100 one or more thereof.

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101 (11) "Water system" means all plants, systems, facilities,
 102 or properties used or useful or having the present capacity for
 103 future use in connection with the supply, transportation, or
 104 distribution of water, and any integral part thereof, including,
 105 but not limited to, water supply systems, water distribution
 106 systems, reservoirs, wells, intakes, mains, laterals, aqueducts,
 107 pumping stations, standpipes, filtration plants, purification
 108 plants, hydrants, meters, valves, and all necessary
 109 appurtenances and equipment, and all properties, rights,
 110 easements, and franchises relating thereto and deemed necessary
 111 or convenient by the district for the operation thereof.

112 Section 4. Objects and purposes of the district.—The
 113 objects and purposes of the district are to acquire, purchase,
 114 lease, construct, improve, extend, operate, maintain, and
 115 finance any water system or parts thereof, or any sewer system
 116 or parts thereof, serving such unincorporated areas and other
 117 customers and users as the district may determine. The district
 118 may acquire a supply of water within or without the county and
 119 within or without the state. The district may itself own and
 120 operate water systems and sewer systems in unincorporated
 121 territory and may also sell and transport water to other
 122 systems, whether publicly or privately owned, and other users
 123 and consumers, provided the district does not acquire,
 124 construct, or own any water distribution system in any other
 125 area except as stated in this act.

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126 Section 5. Governing body.—The board is the governing body
 127 of the district and consists of five members, each of whom must
 128 be a qualified elector of the district. Board members are
 129 appointed by the Governor for terms of 4 years. Appointments to
 130 fill vacancies on the board are for the unexpired term only.
 131 Before entering upon duties as a board member, each member must
 132 execute to the Governor a good and sufficient bond in the sum of
 133 \$1,000 with a qualified corporate surety conditioned to
 134 faithfully perform the duties of commissioner and to account for
 135 all funds to come into the possession of such commissioner. All
 136 premiums payable for such bonds shall be paid from the funds of
 137 the district.

138 Section 6. Organization.—The board shall organize by
 139 electing from its members a chair, a vice chair, and a
 140 secretary-treasurer. Board members shall not receive
 141 compensation for their service but may be reimbursed for per
 142 diem and travel expenses as provided in s. 112.061, Florida
 143 Statutes, for attending meetings of the board or performing
 144 official duties pertaining to the district.

145 Section 7. Funds.—Funds of the district may be used only
 146 for the administration of the affairs and business of the
 147 district and for the construction, care, maintenance, upkeep,
 148 operation, and repair of sewers and sewer and water systems in
 149 the district, as the board may determine to be for the best
 150 interest of the district and the inhabitants thereof. All

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151 disbursements of the funds of the district shall be made
 152 pursuant to warrants or checks signed by two board members.

153 Section 8. Powers of board.—The board may:

154 (1) Acquire, in the name of the district, by purchase or
 155 the exercise of the right of eminent domain, or construct and
 156 reconstruct, improve, extend, enlarge, equip, repair, maintain,
 157 and operate water systems or sewer systems within the
 158 territorial limits of the district.

159 (2) Issue revenue bonds of the district payable from the
 160 water rates or sewer service charges or other revenues of the
 161 district.

162 (3) Fix and collect rates and charges for water furnished
 163 by any water systems and fix and collect charges for connections
 164 made with any water systems.

165 (4) Fix and collect sewer service charges for the services
 166 furnished by any sewer systems and fix and collect charges for
 167 connections made with any sewer systems.

168 (5) Acquire, in the name of the district, by purchase or
 169 the exercise of the right of eminent domain, lands and rights-
 170 of-way and rights and interests therein, including lands under
 171 water and riparian rights, and personal property, as it may deem
 172 necessary in connection with the construction or operation of
 173 water systems or sewer systems; and hold and dispose of all real
 174 and personal property under its control.

175 (6) Make and enter into all contracts and agreements

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176 necessary or incidental to the performance of its duties and the
 177 execution of its powers under this act, including trust
 178 agreements securing any bonds issued hereunder; and employ such
 179 consulting and other engineers, superintendents, managers,
 180 construction and accounting experts and attorneys, and such
 181 employees and agents as may be deemed necessary, in the judgment
 182 of the board, and fix their compensation; provided, however,
 183 that all such expenses are payable solely from funds made
 184 available under this act.

185 (7) Exercise jurisdiction, control, and supervision over
 186 any water systems and any sewer systems that the district owns,
 187 operates, or maintains and make and enforce such rules and
 188 regulations for the maintenance and operation of any such
 189 systems as may be necessary or desirable, in the judgment of the
 190 board, for the efficient operation thereof and for accomplishing
 191 the purposes of this act.

192 (8) Enter on any lands, water, or premises located within
 193 the district to make surveys, borings, soundings, or
 194 examinations for the purposes of this act.

195 (9) Construct and operate sewer and water mains, laterals,
 196 conduits, pipelines, fire hydrants, and all necessary
 197 appurtenances thereto in, along, or under any streets, alleys,
 198 highways, or other public places within the district.

199 (10) Subject to such provisions and restrictions as may be
 200 set forth in any resolution or trust agreement authorizing or

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201 securing any bonds issued under this act, enter into contracts
 202 with the state or Federal Government or any agency or
 203 instrumentality of either, or with any municipality, district,
 204 private corporation, partnership, association, or individual
 205 providing for or relating to water systems or the purchase or
 206 sale of water or providing for or relating to sewer systems or
 207 the collection or disposal of sewerage.

208 (11) Exercise the powers granted by subsections (1)-(10)
 209 outside the boundaries of the district to the extent necessary
 210 to continue services to those properties within the
 211 unincorporated area of Franklin County that have district-owned
 212 infrastructure as of the effective date of this act.

213 (12) Receive and accept from any authorized agency of the
 214 Federal Government loans or grants for the planning,
 215 construction, improvement, extension, enlargement,
 216 reconstruction, or equipment of any water system or sewer system
 217 and enter into agreements with such agency respecting any such
 218 loans or grants; and receive and accept aid or contributions
 219 from any source of either money, property, labor, or other
 220 things of value to be held, used, and applied only for the
 221 purpose for which such loans, grants, or contributions may be
 222 made.

223 (13) Levy a tax not to exceed 5 mills on all taxable
 224 property within the district.

225 (14) Approve all accounts or claims against the board.

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226 (15) Keep appropriate records and accounts.

227 (16) Advertise for bids for all purchases of goods,
 228 materials, and supplies or contracts for capital improvements
 229 where the price to be paid therefor is in excess of the
 230 threshold amount provided for CATEGORY TWO in s. 287.017,
 231 Florida Statutes, as may be amended from time to time.

232 (17) Have a seal.

233 (18) Prepare and adopt a budget for anticipated revenues
 234 and expenditures each fiscal year after due notice and public
 235 hearing.

236 Section 9. Assessment and collection of taxes.—For each
 237 fiscal year, all taxable property within the district is subject
 238 to an ad valorem tax not to exceed 5 mills of the assessed
 239 valuation of such property to be used to carry out the purposes
 240 of this act. Each fiscal year, the board shall meet and
 241 determine the millage necessary to provide funds to be levied
 242 and assessed on such property to carry out the purposes of this
 243 act, provided, however, that the millage determined by the board
 244 does not exceed the limitations of this act. The ad valorem tax
 245 authorized by this act shall be levied and collected in the same
 246 manner as taxes for county purposes are assessed and collected
 247 in Franklin County. Taxes of the district must be of equal
 248 dignity with taxes for county purposes and must become liens and
 249 be enforced in the same manner as taxes for county purposes.

250 Section 10. Water rates and sewer service charges.—The

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251 board may fix and revise from time to time rates and charges for
 252 water furnished by any water system and sewer service charges
 253 for the services furnished by any sewer system, and charge and
 254 collect the same.

255 (1) Any such rates and charges shall be so fixed and
 256 revised as to provide funds, with other funds available for such
 257 purpose, sufficient at all times to:

258 (a) Pay the cost of maintaining, repairing, and operating
 259 the water systems and sewer systems of the district and provide
 260 reserves therefor and for replacements, depreciation, and
 261 necessary extensions and enlargements.

262 (b) Pay the principal of and the interest on all
 263 outstanding bonds for the payment of which such rates and
 264 charges are pledged as the same become due and provide reserves
 265 therefor.

266 (c) Provide a margin of safety for making such payments
 267 and providing such reserves.

268 (2) Such rates and charges are not subject to supervision
 269 or regulation by any commission, board, bureau, or agency of the
 270 state or any political subdivision of the state.

271 (3) Such rates and charges must be just and equitable, and
 272 the sewer service charges may be based or computed upon:

273 (a) The quantity of water used;

274 (b) The number and size of sewer connections;

275 (c) The number and kind of plumbing fixtures in use in the

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276 premises connected with the sewer system;

277 (d) The number of persons residing or working in or
 278 otherwise connected with the premises connected with the sewer
 279 system;

280 (e) The type or character of the premises connected with
 281 the sewer system;

282 (f) Any other factor affecting the use of the facilities
 283 furnished; or

284 (g) Any combination of the foregoing factors.

285 (4) In cases where the character of sewage from any
 286 manufacturing or industrial plant, building, or premises is such
 287 that it imposes an unreasonable burden upon any sewer system, an
 288 additional charge may be made therefor, or the board may, if it
 289 deems advisable, compel such manufacturing or industrial plant,
 290 building, or premises to treat such sewage in a manner as shall
 291 be specified by the board before discharging the sewage into any
 292 sewer lines owned or maintained by the district.

293 Section 11. Collection of rates and charges.—The board may
 294 provide in a resolution authorizing the issuance of bonds under
 295 this act or in any trust agreement securing such bonds that any
 296 sewer service charges shall be included in bills rendered for
 297 water used on the premises and that if any water rates or sewer
 298 service charges are not paid within 30 days after the rendition
 299 of any such bills, the district shall discontinue furnishing
 300 water to such premises and may disconnect the same from the

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301 water system. Any such resolution or trust agreement may include
 302 any or all of the following provisions, and may require the
 303 board to adopt such resolution or to take such other lawful
 304 action as shall be necessary to effectuate such provisions, and
 305 the board is hereby authorized to adopt such resolution and to
 306 take such other action:

307 (1) That the district may require the owner, tenant, or
 308 occupant of each lot or parcel of land within the district who
 309 is obligated to pay water rates or sewer service charges to the
 310 district to make a reasonable deposit with the district in
 311 advance to ensure the payment of such rates or charges and to be
 312 subject to application to the payment thereof, if and when
 313 delinquent.

314 (2) That if any water rates or sewer service charges
 315 payable to the district are not paid within 30 days after the
 316 rates or charges, as applicable, become due and payable, the
 317 district may at the expiration of the 30-day period disconnect
 318 the premises from the water system or sewer system and may
 319 proceed to recover the amount of any such delinquent rates or
 320 charges, with interest, in an action as provided by law.

321 (3) That if any sewer service charges for the use of any
 322 sewer system by or in connection with any premises not served by
 323 any water system of the district are not paid within 30 days
 324 after the charges become due and payable, the owner, tenant, or
 325 occupant of the premises shall cease to dispose of sewage or

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326 industrial wastes originating from or on such premises by
 327 discharge thereof directly or indirectly into the sewer system
 328 of the district until the sewer service charges, with interest,
 329 are paid; that if the owner, tenant, or occupant does not cease
 330 such disposal at the expiration of the 30-day period, the public
 331 or private corporation, board, body, or person supplying water
 332 to or selling water for use on such premises shall cease
 333 supplying water to or selling water for use on such premises
 334 within 5 days after the receipt of notice of such delinquency
 335 from the district; and that if such corporation, board, body, or
 336 person does not, at the expiration of the 5-day period, cease
 337 supplying water to or selling water for use on such premises,
 338 then the district may, unless it has theretofore contracted to
 339 the contrary, shut off the supply of water to such premises.

340 Section 12. Connection with sewer system.—Upon the
 341 construction of a sewer system under this act, the owner,
 342 tenant, or occupant of each lot or parcel of land within the
 343 district which abuts upon a street or other public way
 344 containing a sanitary sewer as a part of such sewer system or a
 345 sanitary sewer served or which may be served by such sewer
 346 system and upon which lot or parcel a building has been
 347 constructed for residential, commercial, or industrial use,
 348 shall, if so required by the regulations and rules of the
 349 district or a resolution of the board, connect with such
 350 building such sanitary sewer and shall cease to use any other

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351 method for the disposal of sewage wastes or other polluting
 352 matter. All such connections shall be made in accordance with
 353 rules and regulations of the district and may provide for a
 354 charge for making any such connection in such reasonable amount
 355 as the board may fix and establish.

356 Section 13. Declaration of policy.—The undertakings
 357 enumerated in this act constitute a proper public purpose for
 358 the benefit and welfare of the inhabitants of the district, and
 359 it is hereby found and declared that, in the construction,
 360 acquisition, improvement, maintenance, operation, and extension
 361 of any or all of its systems, the district exercises a proper
 362 governmental function.

363 Section 14. The accounts and records of the board shall be
 364 audited in accordance with s. 218.39, Florida Statutes.

365 Section 3. As of the effective date of this act, the term
 366 of each member currently serving on the Board of Commissioners
 367 of the Eastpoint Water and Sewer District, or a commissioner
 368 subsequently appointed to serve the remainder of a current term,
 369 shall continue without interruption or alteration until the end
 370 of such term and the appointment of a commissioner for the
 371 subsequent term.

372 Section 4. Liberal construction.—This act shall be
 373 liberally construed to effect its purposes and shall be deemed
 374 cumulative, supplemental, and alternative authority for the
 375 exercise of the powers provided herein.

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376 Section 5. Chapter 67-1399, Laws of Florida, is repealed.

377 Section 6. Notwithstanding s. 189.0311(2), Florida
 378 Statutes, the Eastpoint Water and Sewer District is not
 379 dissolved as of June 1, 2023, but continues in full force and
 380 effect.

381 Section 7. This act shall take effect upon becoming a law.

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The Florida Senate

APPEARANCE RECORD

2/10/23

13B

Meeting Date

Rules

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Chris

Amendment Barcode (if applicable)

Name

Chris Lyon (Lyon)

Phone

850/222-5102

Address

106 E. College Ave., Ste. 1500

Email

clyon@llw-law.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Eastpoint Water and Sewer District

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: CS/HB 9-B

INTRODUCER: State Affairs Committee and Representatives Hawkins and Amesty

SUBJECT: Reedy Creek Improvement District, Orange and Osceola Counties

DATE: February 9, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hunter	Twogood	RC	Favorable

I. Summary:

CS/HB 9-B is a local bill that ratifies and confirms the continued existence of the Reedy Creek Improvement District under a new name, the Central Florida Tourism Oversight District, and provides legislative intent regarding the district's authority to raise revenue and pay outstanding bonds and obligations without interruption pursuant to provisions of the Florida Constitution for pre-1968 special districts. The bill retains the district's necessary authority related to taxation and the issuance of bonds. The bill also makes extensive revisions to the district's charter, including:

- Replacing the landowner-elected board of the district with a five-member board appointed by the Governor, subject to Senate confirmation, and provides limitations on operators of any theme park or entertainment complex;
- Removing the district's ability to amend its own boundaries without a special act;
- Providing reporting requirements for the district, including a periodic review of the district's powers;
- Removing the district's ability to own and operate airport facilities, certain types of recreational facilities (such as stadiums, civic centers, and convention halls), and "novel and experimental" facilities (such as a nuclear fission power plant);
- Removing the district's ability to spend public funds to advertise businesses, facilities, and attractions within the district, and to levy tolls;
- Retaining the district's power to adopt its own planning, zoning, building, and safety codes, while clarifying the application of general law to those codes and requiring any building and safety codes to be substantially similar or provide more stringent standards than the Florida Building Code and Florida Fire Prevention Code; and
- Removing sections of the charter that duplicate provisions of general law applicable to the district.

The bill further provides that, notwithstanding s. 189.0311(2), F.S., the district is not dissolved as of June 1, 2023, but continues in full force and effect under its new name.

II. Present Situation:

Special Districts

A “special district” is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.¹ A special district may be created by general law, special act, local ordinance, or rule of the Governor and Cabinet.² A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district’s charter.³ Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.⁴

A “dependent special district” is a special district meeting at least one of the following criteria:

- The membership of the district’s governing body is identical to the governing body of a single county or municipality;
- All members of the district’s governing body are appointed by the governing body of a single county or municipality;
- Members of the district’s governing body are removable at will by the governing body of a single county or municipality; or
- The district’s budget is subject to approval by the governing body of a single county or municipality.⁵

An “independent special district” is any district that is not a dependent special district or one that includes more than one county unless the district lies wholly within a single municipality.⁶

According to the Department of Economic Opportunity’s (DEO) Special District Accountability Program Official List of Special Districts (Official List of Districts), there are 1,918 special districts, including 1,303 independent special districts and 615 dependent districts.⁷

Special districts do not possess “home rule” powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.⁸

¹ Section 189.012(6), F.S. *See also* *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547-48 (Fla. 2019).

² Section 189.012(6), F.S.

³ Sections 189.02(4)-(5) and 189.031(3), F.S. Counties and municipalities have “home rule” powers allowing them to enact ordinances not inconsistent with general or special law for governmental, corporate, or proprietary purposes. Special districts do not possess home rule powers and are permitted to impose only those taxes, assessments, or fees authorized by special or general law. FLA. CONST. art VIII, ss. 1(f) and (g), 2(b), s. 6(e) and ss. 125.01 and 166.021, F.S. *See also* *Local Gov’t Formation Manual* 62, available at <https://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?CommitteeId=3227> (last visited Feb. 8, 2023).

⁴ *Local Gov’t Formation Manual* at 62.

⁵ Section 189.012(2), F.S.

⁶ Section 189.012(3), F.S. Independent special districts are created by the Legislature, unless another mechanism is authorized by general law. *See, e.g.* s. 190.005, F.S. (community development districts may be created by a county, municipality, or the Florida Land and Water Adjudicatory Commission, depending on the size and location of the district).

⁷ Dept. of Economic Opportunity, Special District Accountability Program, “Official List of Special Districts,” available at <http://specialdistrictreports.floridajobs.org/webreports/criteria.aspx> (last visited Feb. 8, 2023).

⁸ FLA. CONST. art VII, s. 9(a)

Generally, the maximum millage rate for an independent special district is the millage rate authorized by law and approved by the electors of the district in a referendum.⁹ The 1968 Florida Constitution, however, provides that independent special districts with ad valorem tax authority established by law before its effective date may continue to exercise that authority, but that the authority may be restricted or withdrawn by law unless such power is necessary to pay outstanding debts.¹⁰

Formation and Charter of an Independent Special District

With the exception of community development districts,¹¹ the charter for an independent special district must include the minimum elements required by ch. 189, F.S.¹² Charters of independent special districts must address and include a list of required provisions, including the purpose of the district, its geographical boundaries, taxing authority, bond authority, and selection procedures for the members of its governing body.¹³

Independent Special District Dissolution

Generally, an independent special district may be dissolved in one of the four following ways:

- Voluntary dissolution by a majority vote plus one of the district's board;¹⁴
- For districts created by special act, the passage of a special act dissolving the district, subject to approval by a majority vote of the residents or landowners of the district;¹⁵
- For districts created by a local government, voter approval of a referendum dissolving the district or by the procedure used to create the district;¹⁶ or
- For districts that have been declared inactive by DEO, by special act or ordinance without a referendum.¹⁷

Additionally, s. 189.0311(2), F.S., provides for the dissolution of all independent special districts created by special act prior to the ratification of the Florida Constitution on November 5, 1968, if those districts are not reestablished, re-ratified, or otherwise reconstituted by a special act or general law after that date.¹⁸ Such districts dissolve on June 1, 2023, unless re-established pursuant to the requirements and limitations of ch. 189, F.S., on or after that date. According to the Official List of Districts, 132 active independent special districts were created by special act before November 5, 1968,¹⁹ and of those districts, six do not operate under a charter that was

⁹ Fla. Const. art VII, s. 9(b)

¹⁰ Fla. Const. art XII, ss. 2, 15 *See also* Fla. Const. art. IX, s. 2 (1885), *amended by* SJR 69 (1939) (approved by the voters Nov. 5, 1940) (prohibition on state levy of ad valorem taxes for state purposes). *Bailey v. Ponce de Leon Port Authority*, 398 So. 2d 812 (Fla. 1981); *see also Hillsborough County v. Tampa Port Authority*, 563 So. 2d 1108 (Fla. 2d DCA 1990).

¹¹ Section 189.0311, F.S.; *see* section 190.004, F.S. (providing that ch. 190, F.S., governs the functions and powers of independent community development districts).

¹² Sections 189.031(1) and (3), F.S., sets forth the minimum charter requirements for an independent special district.

¹³ Sections 189.031(3), F.S. (setting forth the minimum charter requirements).

¹⁴ Section 189.072(1), F.S. If the district was created by special act, dissolution also requires a special act of the Legislature to take effect.

¹⁵ Section 189.072(2)(a), F.S.

¹⁶ Section 189.072(2)(b), F.S. If the district has the power to levy ad valorem taxes, a referendum is required for dissolution. Fla. Const. art. VII, s. 9(b).

¹⁷ Section 189.072(3), F.S.

¹⁸ Created by ch. 2022-266, Laws of Fla.

¹⁹ Dept. of Economic Opportunity, Special Dist. Accountability Program, "Official List of Special Districts," available at <http://specialdistrictreports.floridajobs.org/webreports/criteria.aspx> (last visited Feb. 8, 2023).

reestablished, re-ratified, or otherwise reconstituted by a special act or general law after November 5, 1968.²⁰

Unless otherwise provided by law or ordinance, all assets and liabilities of a dissolved independent special district are transferred to the local general-purpose government having jurisdiction over the territory of the district.²¹

Water Control Districts

Chapter 298, F.S., governs the creation and operation of water control districts (WCD). A WCD has authority and responsibility to construct, complete, operate, maintain, repair, and replace any and all works and improvements necessary to execute the water control plan adopted by that district.²² A WCD may build and construct any other works and improvements deemed necessary to preserve and maintain the works in or out of said district. A WCD also may acquire, construct, operate, maintain, use, purchase, sell, lease, convey, or transfer real or personal property, including pumping stations, pumping machinery, motive equipment, electric lines and all appurtenant or auxiliary machines, devices, or equipment.²³

Prior to July 1, 1980, WCDs were created by the submission of a petition signed by a majority of the landowners in the area of the proposed district to the circuit court that had jurisdiction over the area.²⁴ Today, WCDs may be created only by special act or by county ordinance.²⁵

Most WCDs are governed by a three-member board composed of landowners within the district who are also residents of the county where the district is located.²⁶ Landowners vote for the governing board of the district on a one-acre/one-vote basis, with the three persons receiving the highest number of votes elected in the initial election.²⁷ Landowners may vote in person or by a signed proxy statement. The landowners at the initial election determine the length of the term of office for the initial board, selecting one member to serve a one-, two-, or three-year term, respectively. All members subsequently elected serve a three-year term, with one member of the board elected by the landowners each year.²⁸

²⁰ Bradford County Development Authority, Bradford County; Eastpoint Water and Sewer District, Franklin County; Hamilton County Development Authority, Hamilton County; Marion County Law Library, Marion County; Reedy Creek Improvement District, Orange and Osceola Counties; and Sunshine Water Control District, Broward County will dissolve on June 1, 2023, unless re-established pursuant to the requirements and limitations of ch. 189, F.S., on or after that date. Of those scheduled to sunset, Eastpoint Water and Sewer District, Reedy Creek Improvement District, and Sunshine Water Control District have debt obligations.

²¹ Sections 189.072(4) and 189.076(2), F.S.

²² Section 298.22, F.S.

²³ Section 298.22(3), F.S.

²⁴ Section 298.01, F.S. (authorizing “water control districts established prior to July 1, 1980, pursuant to the process formerly contained in this section and former ss. 298.02 and 298.03, may continue to operate as outlined in this chapter.”) *See also* section 298.01, F.S. (1980) and ch. 79-5, ss. 1-3, Laws of Fla. Originally, the Board of Drainage Commissioners for the State also had authority to prepare and file a petition to form a drainage district. *See* ch. 6458, s. 1, Laws of Fla. (1913).

²⁵ Section 289.01, F.S.

²⁶ Section 298.11(1), F.S.

²⁷ Section 298.11(2), F.S. Landowners who own less than one acre receive one vote, while landowners who own more than one acre are entitled to additional votes for any fraction of an acre greater than one-half owned in addition to votes equal to the number of whole acres owned.

²⁸ Section 298.12(1), F.S.

Reedy Creek Improvement District

The Reedy Creek Improvement District (RCID) is an independent special district initially created in 1966 as the Reedy Creek Drainage District by a decree of the Ninth Judicial Circuit²⁹ and subsequently ratified and approved by a special act in 1967.³⁰ The district covers 24,969 acres in Orange and Osceola Counties that are primarily owned by the Walt Disney World Company.³¹ RCID works to “support and administer certain aspects of the economic development and tourism within district boundaries.”³²

According to the RCID’s annual budget for Fiscal Year (FY) 2022-2023, the district will collect \$183,016,143 in general and debt service fund revenues, almost exclusively from an ad valorem tax levy of 13.9000 mills.³³ Additionally, the RCID’s utilities division is projected to generate \$219 million in total revenues.³⁴ As of the district’s most recent continuing disclosure to bondholders (FY 2020-2021), the district has \$1.176 billion in bond debt, \$962 million supported by ad valorem taxation and \$214 million supported by utility revenues.³⁵ Both ad valorem and utility revenue bonds issued by the district have payments scheduled until 2038.

The RCID board of supervisors consists of five members, each elected by the landowners to a four-year term.³⁶ Members of the board must be residents of Orange County, Osceola County, or any adjoining county and are required to own land within the district. Board members historically have received a five-acre tract of inaccessible and undevelopable land from the Walt Disney World Company, subject to a contract that authorizes the company to purchase the land from the board member at the conclusion of his or her service.³⁷

The RCID charter grants the district all powers of a water control district under ch. 298, F.S., as well as a broad range of additional powers, including the ability to:

- Provide utility services, including water, sewer, waste collection and disposal, electric, gas and telecommunications;
- Establish a program for the control, abatement, and elimination of mosquitos and other pests;
- Own and operate an airport and other transportation facilities, including buses, railroads, helicopters, and “novel and experimental facilities”;
- Own and operate recreational facilities, including stadiums, civic centers, and convention halls;
- Own and operate parking facilities;
- Provide for the provision of fire protection services;
- Spend public funds to advertise businesses, facilities, and attractions within the district;
- Designate and maintain conservation areas;

²⁹ *In re: Reedy Creek Drainage District*, Chancery No. 66-1061 (Fla. 9th Cir. Ct. May 13, 1966).

³⁰ Ch. 67-764, s. 1, Laws of Fla.

³¹ OPPAGA, *Central Florida’s Reedy Creek Improvement District Has Wide-Ranging Authority* 2 (Report No. 04-81, Dec. 2004).

³² Reedy Creek Improvement District, *Reedy Creek Improvement District*, available at <https://www.rcid.org/> (last visited Feb. 8, 2023).

³³ Reedy Creek Improvement District, *2023 RCID Final Annual Budget*, available at <https://www.rcid.org/documents/> (last visited Feb. 8, 2023).

³⁴ Reedy Creek Improvement District, *2023 Utilities Budget*, available at <https://www.rcid.org/documents/> (last visited Feb. 8, 2023).

³⁵ Reedy Creek Improvement District, *2021 Continuing Disclosure*, available at <https://www.rcid.org/documents/> (last visited Feb. 8, 2023).

³⁶ Ch. 67-764, s. 4(1), Laws of Fla.

³⁷ See OPPAGA, *supra* note 31, at 2.

- Operate and conduct research activities for “experimental public facilities and services,” including explicit authority to operate a nuclear fission reactor; and
- Exercise eminent domain both within and outside of the district’s boundaries for the purpose of constructing projects or otherwise carrying out the purposes of the district.³⁸

Additionally, the RCID charter contains several distinctive features, including:

- Providing that the charter controls in the event of any conflict with general law;
- Granting RCID the exclusive authority to acquire, construct, and maintain public roads within the district, excluding the portions of State Road 530, State Road 535, and Interstate 4 lying within the district;³⁹
- Requiring district approval for the location, design, and construction of any access or connecting roads for State Road 530, State Road 535, and Interstate 4;⁴⁰
- Establishing criminal penalties for violation of certain district rules and regulations;⁴¹
- Providing the ability to exercise its powers within the boundaries of any municipality located in the district in a manner that conflicts with other applicable law concerning that municipality;⁴²
- Providing an exemption from laws concerning financial reporting for special districts;⁴³
- Providing the ability to adopt its own planning and zoning regulations, to the exclusion of county regulations;⁴⁴
- Providing an exemption from county professional licensure regulations;⁴⁵
- Authorizing RCID to adopt its own building and safety codes and providing an exemption from state zoning laws, the Florida Building Code, and the Florida Fire Prevention Code;⁴⁶
- Adopting regulations concerning subdivision and platting of land;⁴⁷
- Providing an exemption from general law requirements for the issuance of bonds by local government entities;⁴⁸
- Providing a shorter time frame for filing tort claims against the district;⁴⁹
- Providing the ability to expand or contract its own boundaries without a special act;⁵⁰ and
- Requiring district approval for the creation of any new municipality within its boundaries.⁵¹

III. Effect of Proposed Changes:

The bill ratifies and confirms the continued existence of the district under a new name, the Central Florida Tourism Oversight District, and provides legislative intent to preserve the district’s necessary authority to generate revenue and pay outstanding indebtedness as provided

³⁸ Ch. 67-764, s. 9, Laws of Fla.

³⁹ Ch. 67-764, s. 10(2), Laws of Fla.

⁴⁰ Ch. 67-764, s. 10(5), Laws of Fla.

⁴¹ Ch. 67-764, ss. 16, 23(4), 27(5), and 67(2)-(3), Laws of Fla.

⁴² Ch. 67-764, s. 14, Laws of Fla.

⁴³ Ch. 67-764, s. 22(2), Laws of Fla. *See also* s. 218.39(12), F.S. (statute requiring annual financial audit report applies “[n]otwithstanding the provisions of any local law”).

⁴⁴ Ch. 67-764, ss. 23(2), (8), Laws of Fla.

⁴⁵ Ch. 67-764, s. 23(2), Laws of Fla.

⁴⁶ Ch. 67-764, s. 23(2)-(3), Laws of Fla.

⁴⁷ Ch. 67-764, s. 23(4)-(7), Laws of Fla.

⁴⁸ Ch. 67-764, s. 55, Laws of Fla.

⁴⁹ Ch. 67-764, s. 61, Laws of Fla.

⁵⁰ Ch. 67-764, s. 64(1), Laws of Fla.

⁵¹ Ch. 67-764, s. 64(6), Laws of Fla.

in its original charter as such authority was preserved by Art. XII, ss. 2 and 15 of the Florida Constitution.

District Board and Employees

The bill replaces the current board elected by landowners with a five-member board appointed by the Governor, subject to Senate confirmation. Each new appointee must replace the Board member who has been serving on the Board for the longest period of time.

Board members serve a four-year term, except that two of the initial appointees will serve two-year terms for the purpose of creating staggered terms. Board members may serve no more than three consecutive terms. All members of the board must be Florida residents.

When selecting board members, the bill requires consideration be given to appointing members with experience in a broad range of fields including, but not limited to, accounting, business management, construction, cybersecurity or data privacy, engineering, environmental sciences, financial management, infrastructure management, land use, permitting, public administration, public safety, transportation, and utility operations and management. The bill prohibits a person from serving on the district's board if the person, or a relative,⁵² has within the past three years been an officer, owner, director, employee, agent, contractor, or subcontractor of, or had a contractual relationship with:

- A business entity that owns or operates a theme park or entertainment complex as defined in s. 509.013(9), F.S.,⁵³ or
- A parent company, subsidiary, or sibling organization under common ownership or control with a business entity that owns or operates a theme park or entertainment complex.

If a board member becomes ineligible during the member's tenure of office, that board member's seat is declared vacant and the Governor must file an executive order pursuant to s. 114.01, F.S., to appoint a replacement to serve the remainder of the term.

The bill eliminates compensation for board members and requires any reimbursement for per diem and travel expenses for attending meetings or performing official duties of the district to be subject to the limits provided in general law for other governmental officers and employees.

The bill requires the board to hire, subject to an affirmative vote of at least three members of the board, a clerk, district administrator, and general counsel. These employees may be removed by the board at any time and the board may contract with third parties to perform the functions of the clerk and general counsel.

⁵² The bill uses the same definition of "relative" as s. 112.3143, F.S., which defines the term as including a "father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law."

⁵³ Section 509.013(9), F.S., defines a "theme park or entertainment complex" as any complex of at least 25 contiguous acres that is owned and controlled by the same business entity, contains permanent exhibitions and a variety of recreational activities, and has a minimum of 1 million visitors on an annual basis.

Reporting Requirements

The bill requires the district to file an annual financial report to the Department of Financial Services, as required of other local governments by s. 218.32, F.S., and provide a copy of the filing to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The bill also requires, notwithstanding s. 189.08(9), F.S., the district to submit a public facilities report and an annual notice of any changes to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Within one year of the effective date of the bill, and every five years thereafter, the bill requires the district's board to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives that contains a review of all remaining powers and authorities of the district and makes recommendations concerning powers that could be repealed.

The bill also removes the district's exemption from budget and financial reporting requirements for special districts.

Powers of the District

The bill retains the district's authority to utilize the powers of a water control district under ch. 298, F.S., but removes certain charter provisions that have been codified in general law. The bill also removes a provision that provided the charter of the district controls in the event of any conflict between the charter and general law. The bill revises other powers of the district to remove its ability to:

- Exercise eminent domain outside of the boundaries of the district;
- Own and operate airport facilities;
- Own and operate certain types of recreational facilities, but retaining the authority to own and operate parks, playgrounds, campsites, and fishing facilities;
- Spend public funds to advertise businesses, facilities, and attractions within the district;
- Own and operate "novel and experimental" transportation facilities;
- Own and operate a nuclear fission power plant or other "novel and experimental" public utilities;
- Operate and conduct research activities for "experimental public facilities and services,";
- Choose to not conduct public meetings when taking certain actions; and
- Adopt an alternative fiscal year.

The bill allows the district to continue to own and operate projects outside of its boundaries if those projects were constructed or under construction as of the effective date of the bill. On or after the effective date of the bill, the district may construct projects outside of the boundaries of the district, but only with the consent, approval, or certification of any regulatory agency, the state, or the governing body of any county, municipality, or other political subdivision in which the project is located. The district may continue to offer, furnish, or supply facilities and services outside of its boundaries on or after the effective date of the act, but if approval is required by law, then the bill requires the district to obtain such approval for offering those facilities and services.

The bill revises the district's authority concerning public roads and other transportation infrastructure by:

- Removing the district's ability to charge tolls;
- Removing the district's exclusive authority to acquire, construct, and maintain public roads within the district; and
- Removing the requirement that the district approve any location, design, and construction for access and connecting roads for State Road 530, State Road 525, and Interstate 4.

The bill restricts the district's spending authority by providing that the district only may use up to the equivalent of five mills of ad valorem taxes to provide funding for public road projects, rail projects, and other regional transportation projects outside of the district's boundaries and provides that the projects must:

- Be in Orange County or Osceola County;
- Improve a street, road, highway, interstate, or rail system that abuts or crosses into or through the district;
- Serve or benefit the property owners in the district as determined by the board; and
- Be performed, operated, governed, managed, or appropriated by the state or its agencies, Orange County, or Osceola County.

The bill removes the district's blanket exemption from state land use regulation,⁵⁴ zoning, building, and safety codes. Instead, the district is authorized to continue adopting its own building and safety codes, exclusive of the Florida Building Code and Florida Fire Prevention Code, as long as the district's codes are substantially similar to or provide more stringent standards than those codes.

The bill removes the district's ability to amend its own boundaries without a special act and the prohibition on creating any new municipality within the boundaries of the district without the district's approval.

The bill requires the district to:

- Provide notice of any public meeting at least 10 days in advance of the meeting, instead of seven days as required by general law;
- Conduct public meetings on a monthly basis;
- Publish any adopted or amended plans of reclamation within 30 days of adoption;
- Receive permission from the state or federal government, as applicable, before constructing any project in rights-of-way owned by those governments;
- Conduct a comprehensive review and evaluation of its comprehensive plan, zoning regulations, land development regulations, environmental protection regulations, building and safety codes and regulations, platting and subdivision regulations, and fire prevention regulations by July 1, 2026;
- Follow the procedures that apply to other local governments when issuing bonds; and
- Engage in competitive bidding for construction projects not performed by district staff.

⁵⁴ *But see* s. 163.3167(6), F.S. (defining the Reedy Creek Improvement District as a municipality for the purposes of the Community Planning Act).

The bill clarifies that the board may adopt and enforce policies for the district governing both the solicitation and award of contracts by the district.

Finance and Taxation

The bill retains provisions of the current charter related to the district's authority to levy ad valorem and other taxes, but clarifies that ad valorem taxes levied by the district must be used for the benefit of property owners in the district.

The bill preserves the district's authority to issue bonds, while requiring those issuances to follow the procedures set forth in general law for the issuance of debt by special districts.

The bill maintains the current tax-exempt status of property of the district and bonds issued by the district.

Modernization of District Charter

The bill makes numerous revisions to the district charter reflecting changes in law and practice in the 56 years since the adoption of the original charter, including:

- Removing sections of the charter that duplicate provisions now appearing in general law;
- Updating cross-references to statutes that have been subsequently renumbered;
- Removing cross-references to statutes and special acts that have been subsequently repealed;
- Updating the names of entities and offices to reflect name changes (e.g., replacing references to the City of Reedy Creek with the current name of the City of Lake Buena Vista, "tax assessors" with "property appraisers," and "State Comptroller" with the "Chief Financial Officer");
- Replacing references to "freeholders" with "qualified electors" for bond referenda;⁵⁵
- Updating notice requirements to allow for online publication of notices as authorized by general law;
- Removing archaic processes and procedures (e.g., allowing the board to assess and collect taxes directly instead of using the county property appraiser and tax collector, authorizing the district to file suits in chancery); and
- Conforming the charter to changes in general law since the creation of the district (e.g., increasing the time to file a challenge to the validity of a special assessment from 20 days to 30 days, allowing the district to invest surplus funds in a broader range of investments as is currently authorized for other local governments).

Other Provisions

The bill contains updated boundaries to reflect the boundary changes made by the district since the adoption of the original charter.

⁵⁵ See *City of Phoenix, Ariz. v. Kolodziejewski*, 399 U.S. 204 (1970) (all electors must be allowed to vote to approve the issuance of general obligation bonds in the absence of an overriding interest to the contrary).

The bill provides that any state permits or governmental approvals in good standing as of the effective date of the bill are effective until completed, expired, revised, or revoked as provided by general law or the bill.

The bill removes provisions that:

- Created a shortened time frame for bringing tort and breach of contract claims against the district;⁵⁶
- Provide criminal penalties for violations of certain regulations adopted by the district;⁵⁷ and
- Declared no conflict of interest exists when a board member is also a director, office, employee, or non-controlling shareholder of a corporation that has contracts with the district.

The bill clarifies that the district has both the standing and authority to challenge, by an action in a court of proper jurisdiction, any action, contract, resolution, ordinance, code, or regulation of the cities of Bay Lake or Lake Buena Vista that violate the provisions of the bill.

The bill repeals ch. 67-764, Laws of Fla., and the decree in chancery No. 66-1061, entered by the Circuit Court in and for the Ninth Judicial Circuit of the State of Florida on May 13, 1966, creating and incorporating the Reedy Creek Drainage District.⁵⁸ The bill provides, however, that notwithstanding the repeal of the decree in chancery, the stipulation dated September 29, 1966, entered into by the district and Orange County remains binding and effective on the district.

Transition Period

The bill authorizes the district to continue to do business as the Reedy Creek Improvement District for up to two years following the effective date of the bill to provide time to make necessary changes to legal and financial documents, physical assets, and other locations where the district's name is used. All legal proceedings and financial arrangements of the district may be continued and completed under its new name and all legal and financial documents and agreements of the district continue to be binding.

The bill provides that the terms of all current members of the district's board end as of the effective date of the bill, but allows those members to continue to serve until a successor in office is appointed and qualified. The bill prohibits board members and employees of the district from selling, disposing of, encumbering, transferring, or expending any assets of the district that exist as of the effective date of the bill, except as would otherwise occur in the ordinary course of business, until new board members are appointed and qualified.

⁵⁶ While permissible under the 1885 Florida Constitution, such a limitation in a local bill would be not valid under the current Florida Constitution.

⁵⁷ *Id.*

⁵⁸ Such repeal is a standard practice when reenacting a district's charter. *See* s. 189.019, F.S. (any special act providing for codification of prior special acts must include a repeal of those special acts). *See e.g.*, ch. 2005-341, s. 4, Laws of Fla. (repealing prior special acts as part of the codification of special acts concerning the North Springs Improvement District, Broward County). In issuing a chancery decree creating the district, the circuit court was serving in an administrative capacity that may be subject to future legislative action. *See Burnett v. Greene*, 105 Fla. 35, 39 (Fla. 1931) ("authority given to the circuit court [to establish water control districts] ... is merely to ascertain whether in a particular locality the conditions exist with reference to the subjects upon which the general law complete in itself may operate by its own force.") *See also* s. 298.01, F.S. (providing legislative intent for the continued operation of water control districts created by the former ss. 298.02 and 298.03, F.S., which created the application and approval process for circuit court decrees to create water control districts).

Sunset

Notwithstanding s. 189.0311(2), F.S., the bill provides that the district is not dissolved as of June 1, 2023, but continues in full force and effect under its new name.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

This bill is a local law, an important distinction because the State Constitution imposes special requirements on local laws and prohibits local laws on specified subjects where the law should be uniform statewide. The general guiding test to distinguish the difference is:

A statute relating to subdivisions of the state or to subjects or to persons or things of a class, based upon proper distinctions and differences that inhere in or are peculiar or appropriate to the class, is a ‘general law’; while a statute relating to particular subdivisions or portions of the state, or to particular classified localities, is a local law. . .⁵⁹

Section 10 Article III of the State Constitution requires that notice of intent to seek enactment of a local law be published in the manner provided by general law,⁶⁰ or that the local law be conditioned to take effect only upon approval by vote of the area affected. A local law must satisfy one of these requirements or it is unconstitutional.⁶¹

⁵⁹ State *ex rel.* Buford v. Daniel, 99 So. 804 (1924)

⁶⁰ Sections 11.02, 11.021, and 11.03, F.S.

⁶¹ Barndollar v. Sunset Realty Corp., 379 So.2d 1278 (Fla. 1979)

Notice was published on January 6, 2023, and January 7, 2023, on the official website for Osceola County, Florida, and the Orlando Sentinel, a daily newspaper of general circulation in Orange and Osceola Counties, Florida, respectively.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill retains the district's authority to levy ad valorem and other taxes and preserves its authority to issue bonds. The bill also provides legislative intent that no bond or other instrument of indebtedness previously issued by the district shall be affected by the act.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The district may incur some costs associated with hiring certain personnel, complying with specified reporting requirements, and implementing the district name change.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill repeals, amends, and reenacts chapter 67-764, Laws of Florida.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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A bill to be entitled

An act relating to the Reedy Creek Improvement District, Orange and Osceola Counties; reenacting, amending, and repealing chapter 67-764, Laws of Florida, and the decree in chancery No. 66-1061 entered by the Circuit Court in and for the Ninth Judicial Circuit of the State of Florida on May 13, 1966, relating to the district; providing legislative intent; providing for continuation of authority for revenue collection and powers to meet outstanding obligations; renaming the district; providing the boundaries for the district; revising the manner of selection of the board of supervisors; providing term limits; revising board member compensation; providing a process for selecting certain staff; revising the powers of the board; revising the powers of the district; providing severability; providing for transition; providing construction; providing for continued effect of stipulation between the district and Orange County; providing an exception to general law; providing an effective date.

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

Section 1. Chapter 67-764, Laws of Florida, relating to

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the Reedy Creek Improvement District, and the decree in chancery No. 66-1061 entered by the Circuit Court in and for the Ninth Judicial Circuit of the State of Florida on May 13, 1966, creating and incorporating the Reedy Creek Drainage District as a public corporation of the State of Florida, are reenacted, amended, and repealed as provided herein. Furthermore, it is the intent of the Legislature to preserve the authority necessary to generate revenue and pay outstanding indebtedness as continued in force by the operation of ss. 2 and 15, Art. XII of the State Constitution. No bond or other instrument of indebtedness previously issued by the district or any district project financed by bonds or other instruments of indebtedness shall be affected by this act. The provisions of this act shall not affect existing contracts that the district entered into prior to the effective date of this act. The provisions of this act shall be liberally construed in favor of avoiding any events of default or breach under outstanding bonds or other instruments of indebtedness or the district's existing and legally valid contracts.

Section 2. The charter for the Reedy Creek Improvement District is reenacted to read:

Section 1. District ratified and approved; district renamed; boundaries defined.—The Reedy Creek Improvement District, as ratified and approved by chapter 67-764, Laws of Florida, is ratified, confirmed, and approved, except that the

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51 boundaries of the district shall be as provided in this act. The
 52 Reedy Creek Improvement District shall continue to be a public
 53 corporation of this state and have perpetual existence, but upon
 54 the effective date of this act, the Reedy Creek Improvement
 55 District shall be renamed the "Central Florida Tourism Oversight
 56 District." For a transitional period of no longer than 2 years
 57 from the effective date of this act, the district may continue
 58 doing business using "Reedy Creek Improvement District" as a
 59 fictitious name in order to provide sufficient time for the
 60 district to make the necessary name change on or to records,
 61 contracts, bonds, accounts, physical assets, and wherever else
 62 the district's name is used. In no way shall the district's
 63 renaming under this act affect any existing agreements, bonds,
 64 or other instruments of indebtedness, liabilities, assets,
 65 rights, or obligations of the district. All lawful debts, bonds,
 66 obligations, contracts, franchises, promissory notes, audits,
 67 minutes, resolutions, and other undertakings of the Reedy Creek
 68 Improvement District are validated and shall continue to be
 69 valid and binding on the Central Florida Tourism Oversight
 70 District in accordance with their respective terms, conditions,
 71 and covenants. All taxes levied by the Board of Supervisors of
 72 the Reedy Creek Improvement District on lands within the
 73 boundaries of the district shall continue to be effective,
 74 binding, collectible, and a lien on such lands in accordance
 75 with the provisions of this act. Any proceeding commenced by the

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76 Reedy Creek Improvement District under chapter 298, Florida
 77 Statutes, or any other law for the construction of any
 78 improvements, works, or facilities, for the assessment of
 79 benefits and damages, or for the borrowing of money shall not be
 80 impaired or avoided by this act, but may be continued and
 81 completed in the name of the Central Florida Tourism Oversight
 82 District. All proceedings for the condemnation of land
 83 heretofore brought by the Reedy Creek Improvement District may
 84 be continued and completed in the name of the Central Florida
 85 Tourism Oversight District. The Central Florida Tourism
 86 Oversight District shall include all of the lands within the
 87 following described boundaries:

88
 89 (1) In Orange County, Florida:

90 A parcel of land lying in Sections 1 through 3, 8
 91 through 17, 19 through 28, 33 through 36 Township 24
 92 South, Range 27 East, and Sections 6 through 8, 17
 93 through 22, 27 through 31, Township 24 South, Range 28
 94 East, Orange County, Florida, and being more
 95 particularly described as follows:
 96
 97 Begin at the Southwest corner of the Northwest 1/4 of
 98 the Southwest 1/4 of Section 6, Township 24 South,
 99 Range 28 East run N 00°00'22" E, 1327.43 feet along
 100 the West line of Section 6 to the Northwest corner of

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101 the Southwest 1/4 of said Section 6; thence N
 102 89°27'45" E, 1997.50 feet along the North line of the
 103 South half of Section 6, to the Southwest corner of
 104 the East 1/2 of the Southeast 1/4 of the Northwest 1/4
 105 of Section 6, thence N 00°20'35" W, 1154.75 feet along
 106 the West line of the East 1/2 of the Southeast 1/4 of
 107 the Northwest 1/4 of Section 6; thence N 89°38'50" E,
 108 663.64 feet along a line that is 165.00 feet South of
 109 and parallel to the North line of the Southeast 1/4 of
 110 the Northwest 1/4 of Section 6; thence N 89°11'34" E,
 111 148.62 feet +/- along a line parallel to and 165.00
 112 feet South of the North line of the Southwest 1/4 of
 113 the Northeast 1/4 of Section 6 to a point on the
 114 Westerly shore line of Lake Mable; thence meander the
 115 shore line of Lake Mable in a Southerly direction, to
 116 a point on the South line of Section 6 and the North
 117 line of Section 7, Township 24 South, Range 28 East,
 118 said point being S 16°20'10" W, 3981.97 feet more or
 119 less from the previously described point, and also
 120 lying N 89°31'17" E, 1683.05 feet from the Southwest
 121 corner of Section 6; thence continue along the shore
 122 line of Lake Mable in a Southeasterly and
 123 Northeasterly direction across the North 1/4 of
 124 Section 7, to the North line of Section 7 and the
 125 South line of Section 6, Township 24 South, Range 28

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126 East, said point being N 89°31'17" E, along the North
 127 section line of Section 7, 1381.64 feet from the
 128 previously described point and lying S 89°31'17" W,
 129 2304.35 feet from the Northeast corner of Section 7;
 130 thence continue to meander the shore line of Lake
 131 Mable in a Northeasterly direction across the
 132 Southeast 1/4 of Section 6, Township 24 South, Range
 133 28 East to a point on said shoreline which is
 134 intersected by the North line of the South half of the
 135 Southeast 1/4 of Section 6, said point being N
 136 25°14'10" E, 1475.82 feet from the previously
 137 described point; thence N 89°29'30" E, along said
 138 North line of the South half of the Southeast 1/4 of
 139 Section 6, 1679.89 feet to the East section line
 140 thereof; thence S 00°12'20" W, 1330.62 feet along the
 141 East line of Section 6 to the Southeast corner of
 142 Section 6 and the Northwest corner of Section 8,
 143 Township 24 South, Range 28 East; thence N 89°21'03" E
 144 along the North line of Section 8, 191.58 feet more or
 145 less to a point on the West shore line of South Lake;
 146 thence meander the shore line of South Lake in a
 147 Southwesterly, Southeasterly and Northeasterly
 148 direction to a point where the shore line of South
 149 Lake intersects the East line of the West half of the
 150 West half of Section 8; said point being S 25°17'13"

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151 E, 2679.01 feet more or less from the previously
 152 described point; thence S 00°13'59" W, 221.07 feet to
 153 the Northeast corner of the Northwest 1/4 of the
 154 Southwest 1/4 of Section 8; thence S 00°06'21" E along
 155 the East line of the West half of the Southwest 1/4 of
 156 Section 8, 1334.85 feet to the Southeast corner of the
 157 Northwest 1/4 of the Southwest 1/4 of Section 8;
 158 thence S 88°48'04" W, 1111.09 feet to a point of
 159 curvature of a curve concave Southeasterly having a
 160 radius of 545.08 feet, and a central angle of
 161 81°15'08"; thence run Southwesterly along the arc of
 162 said curve, 772.99 feet; to a point of reverse
 163 curvature of a curve concave Northerly having a radius
 164 of 80.00 feet, and a central angle of 128°43'50";
 165 thence run Westerly along the arc of said curve,
 166 179.74 feet; thence S 43°40'59" E, 16.92 feet; thence
 167 S 34°38'41" E, 8.13 feet; thence S 25°16'40" E, 86.79
 168 feet; thence S 28°57'56" E, 106.03 feet; thence S
 169 58°01'53" E, 87.73 feet; thence N 85°59'29" E, 134.58
 170 feet to a point of curvature of a curve concave
 171 Southerly having a radius of 425.00 feet, and a
 172 central angle of 23°29'59"; thence run Easterly along
 173 the arc of said curve, 174.31 feet; to a point of
 174 compound curvature of a curve concave Southwesterly
 175 having a radius of 15.00 feet, and a central angle of

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176 46°20'48"; thence run Southeasterly along the arc of
 177 said curve, 12.13 feet; to a point of compound
 178 curvature of a curve concave Westerly having a radius
 179 of 425.00 feet, and a central angle of 16°33'54";
 180 thence run Southerly along the arc of said curve,
 181 122.87 feet; to a point of compound curvature of a
 182 curve concave Westerly having a radius of 25.00 feet,
 183 and a central angle of 51°32'25"; thence run Southerly
 184 along the arc of said curve, 22.49 feet; thence S
 185 43°56'36" W, 91.06 feet; thence S 64°40'37" W, 105.25
 186 feet; thence S 40°45'32" W, 117.42 feet; thence S
 187 13°26'04" W, 97.39 feet; thence S 42°14'20" W, 133.97
 188 feet; thence S 68°59'11" W, 89.71 feet; thence S
 189 28°50'44" W, 77.77 feet; thence S 14°52'47" W, 88.32
 190 feet; thence S 01°59'29" E, 106.28 feet; thence S
 191 24°42'46" W, 241.59 feet; thence S 36°55'50" W, 126.64
 192 feet; thence S 24°03'44" W, 71.01 feet to a point of
 193 curvature of a curve concave Northwesterly having a
 194 radius of 25.00 feet, and a central angle of
 195 40°55'45"; thence run Southwesterly along the arc of
 196 said curve, 17.86 feet; thence S 64°59'30" W, 91.68
 197 feet to a point of curvature of a curve concave
 198 Northerly having a radius of 25.00 feet, and a central
 199 angle of 46°29'32"; thence run Westerly along the arc
 200 of said curve, 20.29 feet; thence N 68°30'58" W,

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201 131.37 feet; thence N 34°57'28" W, 145.43 feet; thence
 202 N 10°44'04" W, 144.09 feet; thence N 10°34'18" E,
 203 129.55 feet; thence N 44°03'35" E, 129.67 feet; thence
 204 N 86°35'32" E, 100.03 feet; thence N 62°48'18" E,
 205 100.08 feet; thence N 58°16'14" E, 95.99 feet; thence
 206 N 15°01'47" E, 86.03 feet; thence N 14°30'32" W,
 207 104.94 feet; thence N 03°06'23" W, 111.09 feet; thence
 208 N 07°32'42" E, 68.01 feet; thence N 15°14'13" W, 80.67
 209 feet; thence N 87°12'48" W, 40.11 feet; thence S
 210 77°42'57" W, 84.88 feet; thence S 74°44'47" W, 66.79
 211 feet; thence S 35°20'27" W, 90.33 feet; thence S
 212 22°58'13" W, 87.94 feet; thence S 20°05'22" W, 168.18
 213 feet; thence S 65°39'23" W, 108.46 feet; thence N
 214 79°02'16" W, 146.86 feet; thence S 44°41'24" W, 85.24
 215 feet; thence S 66°58'59" W, 80.82 feet; thence N
 216 89°03'00" W, 96.88 feet; thence S 84°18'13" W, 51.79
 217 feet; thence S 77°56'53" W, 116.91 feet; thence S
 218 70°14'00" W, 84.26 feet; thence N 63°52'48" W, 163.26
 219 feet; thence N 71°49'57" W, 91.32 feet; thence N
 220 56°38'48" W, 106.72 feet; thence N 37°38'37" W, 96.72
 221 feet; thence N 69°48'38" W, 85.22 feet; thence N
 222 85°15'14" W, 95.72 feet; thence N 76°56'11" W, 104.56
 223 feet; thence S 28°55'14" W, 152.44 feet; thence S
 224 13°45'44" E, 47.73 feet to a point of curvature of a
 225 curve concave Westerly having a radius of 75.00 feet,

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226 and a central angle of 30°06'13"; thence run Southerly
 227 along the arc of said curve, 39.41 feet; to a point of
 228 reverse curvature of a curve concave Northeasterly
 229 having a radius of 45.00 feet, and a central angle of
 230 99°54'55"; thence run Southeasterly along the arc of
 231 said curve, 78.47 feet; to a point of reverse
 232 curvature of a curve concave Southwesterly having a
 233 radius of 250.00 feet, and a central angle of
 234 55°31'16"; thence run Southeasterly along the arc of
 235 said curve, 242.26 feet; thence S 28°03'11" E, 95.35
 236 feet to a point of curvature of a curve concave
 237 Westerly having a radius of 125.00 feet, and a central
 238 angle of 59°41'01"; thence run Southerly along the arc
 239 of said curve, 130.21 feet; thence S 31°37'50" W,
 240 165.37 feet; thence S 51°01'41" E, 83.54 feet to a
 241 point on a non-tangent curve concave Southeasterly
 242 having a radius of 676.49 feet, and a central angle of
 243 29°43'07"; thence from a tangent bearing of N
 244 50°17'44" E run Northeasterly along the arc of said
 245 curve, 350.89 feet; thence S 35°59'30" E, 246.14 feet;
 246 thence S 55°37'13" E, 316.45 feet; thence S 68°44'46"
 247 E, 336.44 feet to a point on a non-tangent curve
 248 concave Southerly having a radius of 399.38 feet, and
 249 a central angle of 09°53'41"; thence from a tangent
 250 bearing of N 79°13'56" E run Easterly along the arc of

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251 said curve, 68.97 feet; to a point of reverse
 252 curvature of a curve concave Northerly having a radius
 253 of 137.63 feet, and a central angle of 14°21'49";
 254 thence run Easterly along the arc of said curve, 34.50
 255 feet; thence S 03°57'40" W, 60.74 feet to a point on a
 256 non-tangent curve concave Southerly having a radius of
 257 344.38 feet, and a central angle of 04°15'11"; thence
 258 from a tangent bearing of S 86°02'20" E run Easterly
 259 along the arc of said curve, 25.56 feet; to a point of
 260 compound curvature of a curve concave Southerly having
 261 a radius of 132.00 feet, and a central angle of
 262 26°04'01"; thence run Easterly along the arc of said
 263 curve, 60.05 feet; to a point on a non-tangent curve
 264 concave Southwesterly having a radius of 184.37 feet,
 265 and a central angle of 31°44'00"; thence from a
 266 tangent bearing of S 49°44'21" E run Southeasterly
 267 along the arc of said curve, 102.11 feet; to a point
 268 of compound curvature of a curve concave Westerly
 269 having a radius of 679.36 feet, and a central angle of
 270 08°51'48"; thence run Southerly along the arc of said
 271 curve, 105.09 feet; to a point of reverse curvature of
 272 a curve concave Easterly having a radius of 437.18
 273 feet, and a central angle of 18°37'07"; thence run
 274 Southerly along the arc of said curve, 142.06 feet; to
 275 a point of compound curvature of a curve concave

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276 Northeasterly having a radius of 395.25 feet, and a
 277 central angle of 18°13'39"; thence run Southeasterly
 278 along the arc of said curve, 125.74 feet; to a point
 279 of reverse curvature of a curve concave Southwesterly
 280 having a radius of 645.09 feet, and a central angle of
 281 03°21'33"; thence run Southeasterly along the arc of
 282 said curve, 37.82 feet; thence N 82°18'14" W, 71.09
 283 feet; thence N 51°44'44" W, 65.78 feet; thence N
 284 80°24'25" W, 90.39 feet; thence S 48°32'46" W, 80.93
 285 feet; thence S 22°55'38" W, 113.12 feet; thence S
 286 27°19'16" E, 55.45 feet; thence S 18°40'56" W, 159.75
 287 feet; thence S 10°48'30" W, 160.42 feet to a point of
 288 curvature of a curve concave Easterly having a radius
 289 of 223.65 feet, and a central angle of 59°02'33";
 290 thence run Southerly along the arc of said curve,
 291 230.47 feet; to a point on the Northerly and Easterly
 292 boundary of Tract R, Golden Oak Phase 1B according to
 293 the Plat thereof recorded in Plat Book 75, Pages 3
 294 through 15 of the Public Records of Orange County, a
 295 non-tangent curve concave Northerly having a radius of
 296 25.00 feet, and a central angle of 64°33'48"; thence
 297 from a tangent bearing of S 49°58'05" E run Easterly
 298 along the arc of said curve, 28.17 feet; thence N
 299 65°28'07" E, 122.36 feet; thence N 76°27'23" E, 76.59
 300 feet to a point of curvature of a curve concave

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301 Northwesterly having a radius of 25.00 feet, and a
 302 central angle of 25°14'16"; thence run Northeasterly
 303 along the arc of said curve, 11.01 feet; thence S
 304 78°11'38" E, 85.68 feet to a point on a non-tangent
 305 curve concave Easterly having a radius of 1010.00
 306 feet, and a central angle of 07°58'42"; thence from a
 307 tangent bearing of S 11°48'22" W run Southerly along
 308 the arc of said curve, 140.64 feet; to a point on a
 309 non-tangent curve concave Southwesterly having a
 310 radius of 25.00 feet, and a central angle of
 311 87°13'52"; thence from a tangent bearing of N
 312 03°49'41" E run Northwesterly along the arc of said
 313 curve, 38.06 feet; thence N 83°24'11" W, 42.54 feet to
 314 a point of curvature of a curve concave Southerly
 315 having a radius of 221.37 feet, and a central angle of
 316 29°07'38"; thence run Westerly along the arc of said
 317 curve, 112.54 feet; to a point of reverse curvature of
 318 a curve concave Northerly having a radius of 132.76
 319 feet, and a central angle of 48°16'12"; thence run
 320 Westerly along the arc of said curve, 111.85 feet; to
 321 a point on a non-tangent curve concave Northeasterly
 322 having a radius of 234.18 feet, and a central angle of
 323 14°51'36"; thence from a tangent bearing of N
 324 64°15'37" W run Northwesterly along the arc of said
 325 curve, 60.74 feet; thence S 24°23'32" E, 34.06 feet;

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326 thence S 18°04'39" E, 78.70 feet to a point on a non-
 327 tangent curve concave Northwesterly having a radius of
 328 25.00 feet, and a central angle of 115°40'49"; thence
 329 from a tangent bearing of S 17°50'29" E run
 330 Southwesterly along the arc of said curve, 50.48 feet;
 331 thence N 82°09'40" W, 26.47 feet; thence S 26°43'01"
 332 W, 107.99 feet; thence S 13°53'13" W, 84.71 feet;
 333 thence S 20°06'37" W, 86.21 feet; thence S 22°42'17"
 334 W, 90.27 feet; thence S 48°33'38" W, 93.96 feet;
 335 thence S 51°48'05" W, 58.47 feet; thence S 70°41'52"
 336 W, 98.39 feet; thence S 75°48'30" W, 82.70 feet;
 337 thence N 82°22'12" W, 18.57 feet; thence S 59°48'12"
 338 W, 61.99 feet; thence S 23°48'42" W, 31.41 feet;
 339 thence S 21°34'58" E, 112.96 feet; thence S 25°04'56"
 340 E, 80.36 feet; thence S 06°58'19" E, 51.79 feet to a
 341 point of curvature of a curve concave Westerly having
 342 a radius of 25.00 feet, and a central angle of
 343 54°17'13"; thence run Southerly along the arc of said
 344 curve, 23.69 feet; thence S 47°18'54" W, 37.10 feet;
 345 thence S 03°48'45" E, 24.29 feet to a point of
 346 curvature of a curve concave Northwesterly having a
 347 radius of 25.00 feet, and a central angle of
 348 79°16'52"; thence run Southwesterly along the arc of
 349 said curve, 34.59 feet; thence S 75°28'07" W, 70.19
 350 feet to a point of curvature of a curve concave

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351 Northerly having a radius of 25.00 feet, and a central
 352 angle of 41°16'24"; thence run Westerly along the arc
 353 of said curve, 18.01 feet; thence N 63°15'30" W, 63.09
 354 feet to a point on the Easterly right-of-way of RCID
 355 canal L-105 as described in Official Records Book
 356 1896, Page 232 of the Public Records of Orange County
 357 Florida, and a non-tangent curve concave Easterly
 358 having a radius of 1505.50 feet, and a central angle
 359 of 37°08'46"; thence from a tangent bearing of S
 360 03°51'20" E run Southerly along the arc of said curve
 361 and right-of-way, 976.05 feet; thence continue along
 362 said right-of-way S 41°00'06" E, 193.39 feet; thence S
 363 48°59'54" W, 100.00 feet to a point on the westerly
 364 right-of-way of said Canal; thence departing said
 365 Canal run, N 87°15'41" W, 130.57 feet; thence N
 366 63°21'34" W, 33.90 feet; thence N 81°08'52" W, 154.09
 367 feet; thence N 39°33'00" W, 38.53 feet; thence N
 368 28°54'14" W, 86.79 feet; thence N 28°30'43" W, 101.63
 369 feet; thence N 32°36'46" W, 77.00 feet; thence N
 370 39°30'36" W, 98.30 feet to a point of curvature of a
 371 curve concave Easterly having a radius of 25.00 feet,
 372 and a central angle of 37°14'40"; thence run Northerly
 373 along the arc of said curve, 16.25 feet; thence N
 374 02°15'56" W, 56.50 feet; thence N 39°36'59" W, 135.27
 375 feet; thence N 85°04'00" W, 67.65 feet to a point of

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376 curvature of a curve concave Northeasterly having a
 377 radius of 25.00 feet, and a central angle of
 378 46°40'29"; thence run Northwesterly along the arc of
 379 said curve, 20.37 feet; thence N 38°23'30" W, 64.62
 380 feet; thence N 64°16'04" W, 16.33 feet to a point of
 381 curvature of a curve concave Northeasterly having a
 382 radius of 25.00 feet, and a central angle of
 383 58°38'45"; thence run Northwesterly along the arc of
 384 said curve, 25.59 feet; thence N 05°37'20" W, 20.54
 385 feet; thence N 44°31'28" W, 62.56 feet; thence S
 386 23°42'54" W, 95.95 feet to a point of curvature of a
 387 curve concave Northwesterly having a radius of 25.00
 388 feet, and a central angle of 84°46'10"; thence run
 389 Southwesterly along the arc of said curve, 36.99 feet;
 390 thence N 71°30'56" W, 65.59 feet; thence N 67°45'46"
 391 W, 71.42 feet; thence N 47°09'12" W, 129.61 feet;
 392 thence N 28°09'10" W, 67.04 feet to a point of
 393 curvature of a curve concave Easterly having a radius
 394 of 25.00 feet, and a central angle of 58°17'03";
 395 thence run Northerly along the arc of said curve,
 396 25.43 feet; thence N 30°07'52" E, 66.18 feet; thence N
 397 41°27'39" E, 82.62 feet; thence N 28°03'16" E, 61.53
 398 feet; thence N 21°03'09" W, 47.93 feet; thence N
 399 17°13'11" W, 99.26 feet; thence N 00°32'57" E, 48.45
 400 feet; thence N 12°21'10" E, 151.79 feet; thence N

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401 23°46'35" E, 109.94 feet; thence N 39°26'51" E, 91.52
 402 feet; thence N 17°00'45" E, 45.16 feet; thence N
 403 34°56'26" W, 27.03 feet; thence N 26°29'23" W, 104.81
 404 feet; thence S 48°40'54" W, 30.14 feet to a point on a
 405 non-tangent curve concave Southerly having a radius of
 406 7.86 feet, and a central angle of 78°20'37"; thence
 407 from a tangent bearing of N 28°56'03" W run Westerly
 408 along the arc of said curve, 10.75 feet; to a point of
 409 compound curvature of a curve concave Southeasterly
 410 having a radius of 19.64 feet, and a central angle of
 411 36°52'37"; thence run Southwesterly along the arc of
 412 said curve, 12.64 feet; to a point of compound
 413 curvature of a curve concave Easterly having a radius
 414 of 3.95 feet, and a central angle of 74°25'35"; thence
 415 run Southerly along the arc of said curve, 5.13 feet;
 416 thence S 38°34'51" E, 13.88 feet; thence S 51°58'30"
 417 W, 145.54 feet; thence N 37°57'09" W, 16.70 feet to a
 418 point on a non-tangent curve concave Northeasterly
 419 having a radius of 1080.42 feet, and a central angle
 420 of 20°21'16"; thence from a tangent bearing of N
 421 48°06'54" W run Northwesterly along the arc of said
 422 curve, 383.82 feet; thence N 37°56'18" W, 17.87 feet;
 423 thence N 30°54'21" W, 193.79 feet to a point on a non-
 424 tangent curve concave Southeasterly having a radius of
 425 762.70 feet, and a central angle of 08°52'54"; thence

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426 from a tangent bearing of S 63°58'49" W run
 427 Southwesterly along the arc of said curve, 118.23
 428 feet; thence S 55°05'55" W, 58.77 feet to a point of
 429 curvature of a curve concave Southeasterly having a
 430 radius of 160.82 feet, and a central angle of
 431 19°16'01"; thence run Southwesterly along the arc of
 432 said curve, 54.08 feet; to a point of reverse
 433 curvature of a curve concave Northwesterly having a
 434 radius of 159.35 feet, and a central angle of
 435 36°15'00"; thence run Southwesterly along the arc of
 436 said curve, 100.82 feet; thence S 72°04'54" W, 26.78
 437 feet to a point of curvature of a curve concave
 438 Southeasterly having a radius of 158.03 feet, and a
 439 central angle of 21°54'44"; thence run Southwesterly
 440 along the arc of said curve, 60.44 feet; to a point on
 441 a non-tangent curve concave Northeasterly having a
 442 radius of 52.89 feet, and a central angle of
 443 104°26'29"; thence from a tangent bearing of S
 444 75°27'00" W run Northwesterly along the arc of said
 445 curve, 96.41 feet; thence N 00°06'31" W, 54.31 feet;
 446 thence N 74°49'42" W, 43.41 feet; thence S 44°47'41"
 447 W, 145.43 feet; thence S 45°05'06" E, 18.68 feet;
 448 thence S 03°14'02" W, 84.66 feet; thence S 05°12'38"
 449 E, 58.35 feet to a point of curvature of a curve
 450 concave Easterly having a radius of 1125.00 feet, and

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451 a central angle of 27°57'29"; thence run Southerly
 452 along the arc of said curve, 548.95 feet; thence S
 453 33°10'07" E, 163.59 feet to a point of curvature of a
 454 curve concave Westerly having a radius of 492.00 feet,
 455 and a central angle of 26°59'13"; thence run Southerly
 456 along the arc of said curve, 231.74 feet; thence N
 457 86°26'26" E, 126.87 feet; thence N 76°15'46" E, 63.89
 458 feet; thence S 64°36'17" E, 118.17 feet; thence S
 459 52°36'40" E, 63.05 feet; thence S 45°16'16" E, 127.88
 460 feet to a point of curvature of a curve concave
 461 Southwesterly having a radius of 25.00 feet, and a
 462 central angle of 35°13'41"; thence run Southeasterly
 463 along the arc of said curve, 15.37 feet; thence S
 464 10°02'35" E, 93.01 feet to a point of curvature of a
 465 curve concave Westerly having a radius of 25.00 feet,
 466 and a central angle of 46°18'35"; thence run Southerly
 467 along the arc of said curve, 20.21 feet; thence S
 468 36°16'00" W, 28.53 feet; thence S 20°23'46" W, 184.90
 469 feet; thence S 25°05'40" W, 31.33 feet to a point on a
 470 non-tangent curve concave Northwesterly having a
 471 radius of 25.00 feet, and a central angle of
 472 33°58'13"; thence from a tangent bearing of S
 473 21°14'14" W run Southwesterly along the arc of said
 474 curve, 14.82 feet; thence S 55°12'27" W, 19.76 feet;
 475 thence S 18°42'59" W, 22.23 feet to a point on a non-

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476 tangent curve concave Southwesterly having a radius of
 477 1908.34 feet, and a central angle of 22°05'51"; thence
 478 from a tangent bearing of S 75°17'36" E run
 479 Southeasterly along the arc of said curve, 736.00
 480 feet; thence S 53°11'44" E, 1498.58 feet to a point of
 481 curvature of a curve concave Northeasterly having a
 482 radius of 950.92 feet, and a central angle of
 483 14°29'06"; thence run Southeasterly along the arc of
 484 said curve, 240.40 feet; to a point of compound
 485 curvature of a curve concave Northerly having a radius
 486 of 513.39 feet, and a central angle of 13°13'42";
 487 thence run Easterly along the arc of said curve,
 488 118.53 feet; thence S 80°54'32" E, 34.76 feet to a
 489 point of curvature of a curve concave Northerly having
 490 a radius of 1109.03 feet, and a central angle of
 491 07°17'21"; thence run Easterly along the arc of said
 492 curve, 141.09 feet; thence S 88°11'54" E, 77.05 feet;
 493 thence S 89°29'03" E, 140.11 feet; thence S 89°29'03"
 494 E, 433.68 feet; thence N 89°58'59" E, 1465.17 feet;
 495 thence N 00°00'00" E, 131.18 feet; thence N 45°00'00"
 496 W, 71.68 feet; thence N 00°00'00" E, 633.08 feet;
 497 thence N 89°59'00" W, 445.76 feet; thence N 00°27'46"
 498 E, 673.19 feet; thence S 89°58'17" E, 398.81 feet;
 499 thence N 00°00'00" E, 753.74 feet; thence N 90°00'00"
 500 W, 362.43 feet; thence N 05°16'59" W, 106.23 feet;

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501 thence N 26°33'54" W, 135.35 feet; thence N 47°32'44"
 502 E, 146.69 feet; thence N 11°28'34" E, 24.04 feet to a
 503 point of curvature of a curve concave Westerly having
 504 a radius of 15.00 feet, and a central angle of
 505 52°09'22"; thence run Northerly along the arc of said
 506 curve, 13.65 feet; thence N 40°40'48" W, 82.81 feet;
 507 thence N 90°00'00" W, 73.87 feet to a point on a non-
 508 tangent curve concave Westerly having a radius of
 509 1396.50 feet, and a central angle of 06°53'10"; thence
 510 from a tangent bearing of N 07°09'56" E run Northerly
 511 along the arc of said curve, 167.84 feet; thence N
 512 00°16'44" E, 0.50 feet to the Northwest corner of the
 513 Northeast 1/4 of the Southwest 1/4 of Section 17
 514 Township 24 South Range 28 East; thence S 89°56'53" E,
 515 3992.90 feet along the North line of the South half of
 516 Section 17, to the East 1/4 corner of Section 17;
 517 thence S 00°24'52" W, 2682.68 feet along the East
 518 section line of Section 17 to the Southeast corner of
 519 Section 17 and the Northeast corner of Section 20,
 520 Township 24 South, Range 28 East; thence S 00°01'36"
 521 E, 1333.66 feet along the East section line of Section
 522 20 to the Southeast corner of the Northeast 1/4 of the
 523 Northeast 1/4 of Section 20 and the Southwest corner
 524 of the Northwest 1/4 of the Northwest 1/4 of Section
 525 21, Township 24 South, Range 28 East; thence N

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526 89°57'37" E, 670.11 feet to the Northwest corner of
 527 the Northeast 1/4 of the Southwest 1/4 of the
 528 Northwest 1/4 of Section 21; thence S 00°08'32" E,
 529 668.06 feet to the Southwest corner thereof; thence S
 530 89°55'30" E, 671.45 feet to the Northeast corner of
 531 the Southeast 1/4 of the Southwest 1/4 of the
 532 Northwest 1/4 of Section 21; thence S 00°15'27" E,
 533 669.41 feet to the Northwest corner of the Northeast
 534 1/4 of the Southwest 1/4 of Section 21; thence S
 535 00°44'42" E, 656.38 feet to the Northwest corner of
 536 Lot 85, Munger and Company Subdivision of Section 21,
 537 according to the Plat recorded in Plat Book E Page 22
 538 of the Public Records of Orange County Florida; thence
 539 S 89°51'01" E, 335.66 feet to the Northeast corner of
 540 said Lot 85; thence S 00°40'49" E, 656.31 feet to the
 541 Southeast corner of Lot 85; thence S 89°53'15" E,
 542 1004.75 feet along the North line of the Southeast 1/4
 543 of the Southwest 1/4 of Section 21 to the Northeast
 544 corner thereof; thence S 00°29'10" E, 655.63 feet
 545 along the West line of the Northwest 1/4, Southwest
 546 1/4 of the Southeast 1/4 of Section 21 to the
 547 Southwest corner thereof; thence N 89°20'56" E, 666.99
 548 feet along the South line of the Northwest 1/4,
 549 Southwest 1/4 of the Southeast 1/4 of Section 21 to
 550 the Southeast corner thereof; thence N 00°21'22" W,

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551 652.39 feet along the West line of the Northeast 1/4,
 552 Southwest 1/4 of the Southeast 1/4 of Section 21 to
 553 the Northwest corner thereof; thence N 89°37'38" E,
 554 2005.42 feet along the North line of the South half of
 555 the Southeast 1/4 of Section 21 to the Northeast
 556 corner thereof, said point also being the Southwest
 557 corner of the Northwest 1/4 of the Southwest 1/4 of
 558 Section 22, Township 24 South, Range 28 East; thence N
 559 00°02'32" E, 1285.39 feet along the West line of
 560 Section 22 to the West 1/4 corner of Section 22;
 561 thence N 89°50'49" E, 714.94 feet along the North line
 562 of the South half of Section 22 to the Easterly right
 563 of way line of State Road 535 as shown in map section
 564 75280-2465 and dated 2/22/1993; thence S 10°07'11" E,
 565 1214.10 feet run along said right-of-way; thence run
 566 along a deed described in document number 20190036003
 567 in the Public Records of Orange County Florida the
 568 flowing four courses; N 89°37'24" E, 749.86 feet; N
 569 38°29'47" E, 22.59 feet; N 38°29'47" E, 576.34 feet;
 570 thence S 51°31'36" E, 50.00 feet to a point on the
 571 Westerly right-of-way of State Road 400 as shown in
 572 map section 75280-2465 and dated 2/22/1993; ; thence
 573 run along said right-of-way, S 38°29'47" W, 6175.37
 574 feet to a point on the Westerly right-of-way line of
 575 State Road 536 as shown in map section 75000-2520 and

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576 dated 3/05/1998; thence departing State Road 400 run
 577 along State Road 536 the following courses; S
 578 43°35'47" W, 1571.44 feet to a point on a non-tangent
 579 curve concave Northwesterly having a radius of 1809.88
 580 feet, and a central angle of 37°23'38"; thence from a
 581 tangent bearing of S 42°29'48" W run Southwesterly
 582 along the arc of said curve, 1185.59 feet; thence S
 583 79°52'51" W, 1492.49 feet to a point on the West line
 584 of Section 28, and on the East line of Section 29,
 585 Township 24 South, Range 28 East, said point lying N
 586 00°00'07" W, 387.61 feet from the Southwest corner of
 587 Section 28; thence S 79°52'53" W, 95.47 feet to a
 588 point of curvature of a curve concave Northerly having
 589 a radius of 2191.83 feet and a central angle of
 590 32°28'09"; thence run Westerly along the arc of said
 591 curve, 1242.10 feet; thence N 69°59'50" W, 311.61
 592 feet; thence run S 23°29'47" W, 304.91 feet to a point
 593 on a non-tangent curve concave Southwesterly, having a
 594 radius of 11402.16 feet and a central angle of
 595 00°29'43"; thence from a tangent bearing of S
 596 65°33'17" E, run Southeasterly along the arc of said
 597 curve, 98.56 feet; thence S 58°56'26" E, 509.41 feet
 598 to a point on a non-tangent curve concave
 599 Southwesterly, having a radius of 900.00 feet and a
 600 central angle of 02°31'40"; thence run Southeasterly

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601 along the arc of said curve 39.70 feet to a point on
 602 the South line the Southeast 1/4 of Section 29, said
 603 point lying N 89°50'43" W, 1167.48 feet from the
 604 Southeast corner of Section 29; thence leaving said
 605 right-of-way, run N 89°50'43" W along the South line
 606 of the Southeast 1/4 of Section 29, 1496.10 feet, to
 607 the South Quarter corner thereof; thence N 89°50'42"
 608 W, 2152.59 feet along the South line of the Southwest
 609 1/4 of Section 29 to a point on the right-of-way of
 610 Chelonia Parkway as shown on the Plat of Bonnet Creek
 611 Resort recorded in Plat Book 56, Page 41 of the Public
 612 Records of Orange County Florida; thence run along
 613 said right-of-way the following courses; due North
 614 163.29 feet to the point of curvature of a curve
 615 concave Southeasterly, having a radius of 675.00 feet
 616 and a central angle of 45°40'47"; thence run
 617 Northeasterly along the arc of said curve 538.15 feet
 618 to a point of reverse curvature of a curve concave
 619 Westerly, having a radius of 825.00 feet and a central
 620 angle of 98°34'08"; thence run Northeasterly and
 621 Northwesterly along the arc of said curve 1419.29 feet
 622 to a point of reverse curvature of a curve concave
 623 Northeasterly having a radius of 500.84 feet and a
 624 central angle of 22°53'21"; thence run Northwesterly
 625 and Northerly along the arc of said curve 200.08 feet;

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626 thence N 30°00'00" W, 326.45 feet to a point on a Deed
 627 recorded in Official Records Book 5208, Page 3884 of
 628 the Public Records of Orange County Florida; thence
 629 departing said Plat run along said Deed, N 30°00'00"
 630 W, 245.14 feet, to a point on a Deed described in
 631 document number 202000359979 of the Public Records of
 632 Orange County Florida; thence run along said Deed the
 633 following four courses; N 74°50'28" E, 100.11 feet; N
 634 87°20'49" W, 74.69 feet; N 27°09'24" W, 47.56 feet; S
 635 63°22'25" W, 20.69 feet, to a point on a Deed
 636 described in document number 202000360380 of the
 637 Public Records of Orange County Florida; thence run
 638 along said Deed the following courses; S 00°00'00" E,
 639 20.42 feet; N 90°00'00" W, 30.04 feet to a point on a
 640 non-tangent curve concave Easterly having a radius of
 641 48.00 feet, and a central angle of 47°40'00"; from a
 642 tangent bearing of N 29°07'51" W run Northerly along
 643 the arc of said curve, 39.93 feet; S 79°56'22" W,
 644 74.35 feet; N 30°03'16" W, 21.84 feet; S 59°56'44" W,
 645 12.14 feet; S 30°03'16" E, 17.42 feet; S 79°56'22" W,
 646 34.35 feet; N 69°28'35" W, 49.22 feet; S 74°41'50" W,
 647 40.22 feet; thence departing said Deed run along
 648 aforesaid Deed recorded in Official Records Book 5208,
 649 Page 3884 the following five courses; S 57°06'40" E,
 650 133.74 feet; S 57°06'40" E, 133.74 feet; S 30°00'00"

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651 E, 180.00 feet; S 06°15'02" E, 54.63 feet; S 30°00'00"
 652 E, 408.17 feet to a point of curvature of a curve
 653 concave Northeasterly, having a radius of 650.84 feet
 654 and a central angle of 22°53'21"; run Southeasterly
 655 along the arc of said curve 260.00 feet to a point on
 656 aforesaid Plat; and a point of reverse curvature of a
 657 curve concave Westerly, having a radius of 675.00 feet
 658 and a central angle of 98°34'08"; thence run
 659 Southeasterly and Southwesterly along the arc of said
 660 curve and Plat, 1161.24 feet to a point of reverse
 661 curvature of a curve concave Southeasterly, having a
 662 radius of 825.00 feet and a central angle of
 663 45°40'47"; thence run Southwesterly along the arc of
 664 said curve and Plat, 657.74 feet; thence run along and
 665 Plat due South, 162.89 feet to the South line of the
 666 Southwest 1/4 of Section 29; thence departing said
 667 Plat and the right-of-way line of Chelonia Parkway run
 668 N 89°50'42" W along the South line of the Southwest
 669 1/4 of Section 29, 360.99 feet to the Southwest corner
 670 of Section 29 and the Northeast corner of Section 31,
 671 Township 24 South, Range 28 East; thence S 00°40'50"
 672 E, 2749.41 feet along the East line of the Northeast
 673 1/4 of Section 31 to the Southeast corner thereof;
 674 thence S 00°27'13" W, 2643.90 feet along the East line
 675 of the Southeast 1/4 of Section 31 to the Southeast

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676 corner of Section 31; thence N 89°36'01" W, 2646.94
 677 feet along the South line of the Southeast 1/4 of
 678 Section 31 to the Southwest corner thereof; thence N
 679 89°56'54" W, 2748.82 feet along the South line of the
 680 Southwest 1/4 of Section 31 to the Southwest corner
 681 thereof and the Southeast corner of Section 36,
 682 Township 24 South Range 27 East; thence S 89°50'04" W,
 683 2658.48 feet along the South line of the Southeast 1/4
 684 of Section 36 to the Southwest corner thereof; thence
 685 S 89°46'36" W, 2656.21 feet along the South line of
 686 the Southwest 1/4 of Section 36 to the Southwest
 687 corner thereof and the Southeast corner of Section 35,
 688 Township 24 South Range 27 East; thence S 89°48'35" W,
 689 2652.59 feet along the South line of the Southeast 1/4
 690 of Section 35 to the Southwest corner thereof; thence
 691 S 89°44'07" W, 2661.05 feet along the South line of
 692 the Southwest 1/4 of Section 35 to the Southwest
 693 corner of said Section and the Southeast corner of
 694 Section 34, Township 24 South Range 27 East; thence S
 695 89°46'46" W, 3438.73 feet along the South line of
 696 Section 34 to a point on the boundary of Black Lake
 697 Village according to the Plat thereof recorded in Plat
 698 Book 75, Page 149 of the Public Records of Orange
 699 County Florida; thence leaving the South line of
 700 Section 34, run along the Easterly and Northerly

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701 boundary of said Plat following courses; N 00°13'59"
 702 W, 29.01 feet; N 14°42'28" W, 114.62 feet; N 06°53'49"
 703 W, 123.97 feet to a point of curvature of a curve
 704 concave Easterly having a radius of 25.00 feet, and a
 705 central angle of 16°36'26"; run Northerly along the
 706 arc of said curve, 7.25 feet; N 09°42'37" E, 104.21
 707 feet to a point of curvature of a curve concave
 708 Southeasterly having a radius of 25.00 feet, and a
 709 central angle of 51°24'11"; run Northeasterly along
 710 the arc of said curve, 22.43 feet; N 61°06'48" E,
 711 53.88 feet; N 71°34'02" E, 17.56 feet; N 18°25'51" W,
 712 18.21 feet to a point on a non-tangent curve concave
 713 Northeasterly having a radius of 50.00 feet, and a
 714 central angle of 106°48'50"; from a tangent bearing of
 715 N 80°45'36" W run Northwesterly along the arc of said
 716 curve, 93.21 feet; N 31°47'40" W, 44.69 feet to a
 717 point on a non-tangent curve concave Northwesterly
 718 having a radius of 436.00 feet, and a central angle of
 719 15°56'47"; from a tangent bearing of S 58°12'21" W run
 720 Southwesterly along the arc of said curve, 121.35
 721 feet; S 74°09'08" W, 308.68 feet to a point of
 722 curvature of a curve concave Southeasterly having a
 723 radius of 514.00 feet, and a central angle of
 724 20°05'00"; run Southwesterly along the arc of said
 725 curve, 180.17 feet; S 54°04'10" W, 67.69 feet to a

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726 point of curvature of a curve concave Northerly having
 727 a radius of 315.00 feet, and a central angle of
 728 35°55'53"; run Westerly along the arc of said curve,
 729 197.54 feet; N 89°59'58" W, 83.84 feet to a point of
 730 curvature of a curve concave Northerly having a radius
 731 of 381.00 feet, and a central angle of 34°07'58"; run
 732 Westerly along the arc of said curve, 226.97 feet; to
 733 a point of reverse curvature of a curve concave
 734 Southerly having a radius of 384.88 feet, and a
 735 central angle of 34°00'28"; run Westerly along the arc
 736 of said curve, 228.44 feet; to a point of reverse
 737 curvature of a curve concave Northerly having a radius
 738 of 185.00 feet, and a central angle of 35°39'45"; run
 739 Westerly along the arc of said curve, 115.15 feet; to
 740 a point of compound curvature of a curve concave
 741 Easterly having a radius of 47.00 feet, and a central
 742 angle of 130°32'06"; run Northerly along the arc of
 743 said curve, 107.08 feet; N 76°19'21" E, 28.14 feet; S
 744 89°22'47" E, 9.24 feet; N 75°08'23" E, 42.15 feet; N
 745 66°44'45" E, 45.92 feet; N 58°10'56" E, 7.13 feet; N
 746 40°00'00" E, 8.68 feet; N 28°21'12" E, 21.50 feet; N
 747 19°11'06" E, 7.97 feet; N 05°44'49" E, 22.07 feet; N
 748 09°37'03" E, 18.85 feet; N 28°18'59" E, 25.32 feet; N
 749 39°33'24" E, 18.56 feet; N 51°48'12" E, 17.01 feet; N
 750 53°20'03" E, 12.93 feet; N 67°23'56" E, 18.89 feet; N

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751 61°31'34" E, 16.11 feet; N 85°31'20" E, 16.65 feet; S
 752 84°27'04" E, 14.79 feet; S 66°07'30" E, 25.25 feet; S
 753 70°01'08" E, 21.22 feet; S 76°11'40" E, 28.29 feet; S
 754 81°04'45" E, 15.99 feet; S 63°15'14" E, 32.58 feet; S
 755 71°35'23" E, 7.28 feet; S 83°45'15" E, 20.77 feet; N
 756 86°06'18" E, 21.64 feet; S 75°49'09" E, 17.31 feet; S
 757 87°55'16" E, 10.48 feet; N 72°43'50" E, 26.75 feet; N
 758 60°42'21" E, 36.44 feet; N 77°16'53" E, 19.62 feet; N
 759 68°37'24" E, 7.52 feet; N 57°06'15" E, 21.62 feet; N
 760 48°30'29" E, 7.40 feet; N 29°59'26" E, 8.68 feet; N
 761 13°42'55" E, 39.82 feet; N 10°06'24" E, 32.03 feet; N
 762 01°43'31" W, 29.22 feet; N 05°37'39" W, 26.82 feet; N
 763 12°01'53" W, 42.36 feet; N 21°06'43" W, 7.72 feet; N
 764 36°50'10" W, 37.65 feet; N 47°37'33" W, 25.00 feet; N
 765 56°19'26" W, 44.83 feet; N 49°30'53" W, 55.06 feet; N
 766 59°47'57" W, 8.89 feet; N 72°21'36" W, 36.00 feet; N
 767 82°08'10" W, 65.71 feet; S 89°42'01" W, 51.60 feet; N
 768 80°08'53" W, 56.11 feet; N 89°26'00" W, 8.09 feet; S
 769 81°14'14" W, 46.34 feet; S 78°42'25" W, 40.49 feet; S
 770 77°43'02" W, 63.74 feet; S 79°09'43" W, 47.65 feet; S
 771 72°48'44" W, 44.03 feet; S 63°14'34" W, 42.60 feet; S
 772 57°48'39" W, 28.70 feet; S 64°21'00" W, 20.44 feet; S
 773 67°06'48" W, 29.21 feet; S 83°28'20" W, 29.99 feet; S
 774 83°04'31" W, 27.06 feet; S 84°19'19" W, 42.81 feet to
 775 a point of curvature of a curve concave Northeasterly

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776 having a radius of 50.00 feet, and a central angle of
 777 83°36'01"; run Northwesterly along the arc of said
 778 curve, 72.95 feet; to a point of compound curvature of
 779 a curve concave Easterly having a radius of 188.00
 780 feet, and a central angle of 27°45'45"; run Northerly
 781 along the arc of said curve, 91.10 feet; S 89°52'10"
 782 W, 174.16 feet; thence departing said Plat run along
 783 the West line of the Southwest 1/4 of Section 34, N
 784 00°00'19" E, 313.89 feet to the Northwest corner of
 785 the Southwest 1/4 of the Southwest 1/4 of Section 34
 786 and the Northeast corner of the Southeast 1/4 of the
 787 Southeast 1/4 of Section 33, Township 24 South, Range
 788 27 East; thence continue N 00°00'19" E 498.35 feet to
 789 the Southeast corner of the North 5/8 of the Northeast
 790 1/4 of the Southeast 1/4 of Section 33; thence run
 791 along the South line of the North 5/8 of the Northeast
 792 1/4 of the Southeast 1/4 of Section 33, N 89°47'57" W,
 793 1326.58 feet to the Southwest corner thereof; thence
 794 run along the West line of the North 5/8 of the
 795 Northeast 1/4, of the Southeast 1/4 of Section 33, N
 796 00°00'31" E, 835.26 feet to the Northwest corner
 797 thereof; thence run along the West line of the
 798 Southeast 1/4 of the Northeast 1/4 of Section 33, N
 799 00°00'25" E, 1321.43 feet to the Northwest corner
 800 thereof; thence run along the North line of the

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801 Southeast 1/4 of the Northeast 1/4 of Section 33, S
802 89°55'44" E, 1326.40 feet; to the Northeast corner
803 thereof; thence run along the West line of the
804 Northwest 1/4 of Section 34 Township 24 South Range 27
805 East, N 00°00'06" E, 1329.09 feet to the Northwest
806 corner thereof; thence N 89°53'53" E, 2679.47 feet
807 along the North line of the Northwest 1/4 of Section
808 34 to the Northeast corner thereof and the Southwest
809 corner of the Southeast 1/4 of Section 27, Township 24
810 South, Range 27 East; thence N 00°01'11" W, 3964.69
811 feet along the West line of the East 1/2 of Section 27
812 to the Southeast corner of the Northeast 1/4 of the
813 Northwest 1/4 of Section 27; thence S 89°37'54" W,
814 1332.15 feet along the South line of the Northeast 1/4
815 of the Northwest 1/4 of Section 27 to the Southwest
816 corner thereof; thence N 00°08'12" E, 1330.97 feet
817 along the West line of the Northeast 1/4 of the
818 Northwest 1/4 of Section 27 to the Northwest corner
819 thereof; thence S 89°46'29" W, 1328.51 feet along the
820 North line of the Northwest 1/4 of Section 27 to the
821 Northwest corner of Section 27 and the Northeast
822 corner of Section 28, Township 24 South, Range 27
823 East; thence S 89°48'06" W, 1331.20 feet along the
824 North line of the Northeast 1/4 of the Northeast 1/4
825 of Section 28, to the Northeast corner of the West 1/2

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826 of the Northeast 1/4 of Section 28; thence S 00°12'18"
827 W, 882.69 feet along the East line of the West 1/2 and
828 the Northeast 1/4 of Section 28, Township 24 South,
829 Range 27 East to a point on the Westerly right of way
830 line of State Road 429 as described in Official
831 Records Book 7070, Page 2553 and Book 7106, Page 2802
832 of the Public Records of Orange County Florida also
833 being a point on Flamingo Crossings East according to
834 the Plat thereof and recorded in Plat Book 97, Page 95
835 of the Public Records of Orange County Florida and a
836 point on a non-tangent curve concave Southwesterly
837 having a radius of 2204.09 feet, and a central angle
838 of 07°27'37"; thence from a tangent bearing of N
839 29°38'58" W run Northwesterly along the arc of said
840 curve, right of way line and Plat, 286.99 feet; thence
841 continue along said right of way line and Plat the
842 following two courses; N 37°06'36" W, 690.17 feet to a
843 point on a non-tangent curve concave Northeasterly
844 having a radius of 808.57 feet, and a central angle of
845 09°35'40"; from a tangent bearing of N 38°37'50" W run
846 Northwesterly along the arc of said curve, 135.40
847 feet; thence departing said right of way line continue
848 along said Plat; N 88°48'31" W, 555.60 feet to a point
849 on the right of way line of Hartzog Road as described
850 in Official Records Book 9782, page 7172, Book 10170,

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851 Page 4303, Book 10173, page 8868 and Book 10815, Page
 852 4619 of the Public Records of Orange County Florida
 853 and a point on a non-tangent curve concave Westerly
 854 having a radius of 1010.00 feet, and a central angle
 855 of 02°00'23"; from a tangent bearing of S 05°42'00" E
 856 run Southerly along the arc of said curve, Plat and
 857 right of way line, 35.37 feet; thence run along said
 858 Plat and right of way line the following courses; S
 859 00°27'57" W, 105.56 feet to a point of curvature of a
 860 curve concave Westerly having a radius of 899.35 feet,
 861 and a central angle of 05°39'43"; run Southerly along
 862 the arc of said curve, 88.87 feet; S 06°07'41" W,
 863 311.81 feet to a point of curvature of a curve concave
 864 Easterly having a radius of 2004.50 feet, and a
 865 central angle of 06°19'57"; run Southerly along the
 866 arc of said curve, 221.54 feet; S 00°12'16" E, 702.26
 867 feet; S 23°02'00" E, 19.33 feet; S 00°12'16" E, 198.27
 868 feet; S 14°29'10" W, 29.80 feet to a point on a non-
 869 tangent curve concave Westerly having a radius of
 870 2162.49 feet, and a central angle of 07°53'08"; from a
 871 tangent bearing of S 00°12'49" W run Southerly along
 872 the arc of said curve, 297.62 feet; S 08°05'57" W,
 873 46.90 feet; N 81°54'04" W, 10.00 feet; S 08°05'57" W,
 874 154.78 feet; S 81°54'04" E, 5.50 feet to a point on a
 875 non-tangent curve concave Westerly having a radius of

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876 1175.00 feet, and a central angle of 07°00'25"; from a
 877 tangent bearing of S 08°05'57" W run Southerly along
 878 the arc of said curve, 143.70 feet; S 00°07'03" W,
 879 13.59 feet; thence departing said Plat continue along
 880 said right of way line, the following courses; N
 881 89°54'54" W, 160.89 feet to a point on a non-tangent
 882 curve concave Westerly having a radius of 1025.00
 883 feet, and a central angle of 10°07'39"; from a tangent
 884 bearing of N 18°13'36" E run Northerly along the arc
 885 of said curve, 181.18 feet; S 81°54'03" E, 5.50 feet;
 886 N 08°05'57" E, 201.68 feet to a point of curvature of
 887 a curve concave Westerly having a radius of 2013.49
 888 feet, and a central angle of 08°18'12"; run Northerly
 889 along the arc of said curve, 291.80 feet; N 00°12'16"
 890 W, 931.40 feet to a point of curvature of a curve
 891 concave Easterly having a radius of 2153.50 feet, and
 892 a central angle of 06°19'57"; run Northerly along the
 893 arc of said curve, 238.01 feet; N 06°07'41" E, 291.80
 894 feet; N 00°07'03" E, 196.68 feet to a point on the
 895 South line of the Southwest 1/4 of Section 21,
 896 Township 24 South, Range 27 East; thence departing
 897 said right of way line, S 89°49'36" W, 453.70 feet
 898 along the South line of the Southwest 1/4 of Section
 899 21, Township 24 South, Range 27 East to a point on
 900 Flamingo Crossings West according to the Plat thereof

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901 and recorded in Plat Book 100, Page 37 of the Public
 902 Records of Orange County Florida; thence run along
 903 said Plat the following three courses; N 40°17'32" W,
 904 323.52 feet; N 32°21'38" W, 271.63 feet; N 34°30'31"
 905 W, 120.76 feet; thence N 46°26'37" W, 108.80 feet
 906 along said Plat and its Northwesterly extension;
 907 thence S 89°49'14" W, 28.71 feet to a point of
 908 curvature of a curve concave Southerly having a radius
 909 of 934.00 feet, and a central angle of 01°05'30";
 910 thence run Westerly along the arc of said curve, 17.79
 911 feet; thence S 00°10'31" E, 11.26 feet; thence S
 912 89°49'29" W, 28.35 feet; thence S 04°02'58" E, 4.66
 913 feet; thence S 86°05'06" W, 22.85 feet; thence N
 914 03°54'54" W, 6.14 feet; thence S 89°49'29" W, 173.97
 915 feet to a point of curvature of a curve concave
 916 Northerly having a radius of 2158.53 feet, and a
 917 central angle of 24°05'38"; thence run Westerly along
 918 the arc of said curve, 907.70 feet; thence N 66°04'53"
 919 W, 548.81 feet to a point on the West line of the
 920 Southwest 1/4 of Section 21, Township 24 South, Range
 921 27 East; thence run along said line, S 00°35'44" W,
 922 1052.90 feet to the Southwest corner thereof; thence
 923 entering Section 20, Township 24 South, Range 27 East
 924 run S 89°18'37" W, 2676.09 feet along the South line
 925 of the Southeast 1/4 of said Section 20, to the

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926 Southwest corner thereof; thence N 89°32'00" W,
 927 2636.90 feet run along the South line of the Southwest
 928 1/4 of said Section 20, to the Southwest corner
 929 thereof; thence N 00°12'29" E, 1187.50 feet along the
 930 West line of the Southwest 1/4 of said Section 20;
 931 thence entering Section 19, Township 24 South, Range
 932 27 East run, S 89°00'18" W, 988.08 feet along the
 933 South line of the North 150.00 feet of the Southeast
 934 1/4 of the Southeast 1/4 of said Section 19, to a
 935 point on the Easterly right of way line of Avalon
 936 Boulevard as described in Deed Book 402, Page 312,
 937 Deed Book 402, Page 353 and Deed Book 357 of the
 938 Public Records of Orange County Florida; thence run
 939 along said right of way line the following two
 940 courses; N 19°17'43" E, 1348.72 feet to a point on a
 941 non-tangent curve concave Easterly having a radius of
 942 2832.01 feet, and a central angle of 04°49'44"; from a
 943 tangent bearing of N 19°16'05" E run Northerly along
 944 the arc of said curve, 238.69 feet to a point on the
 945 North line of the Northeast 1/4 of the Northeast 1/4
 946 of the Southeast 1/4 of said Section 19; thence N
 947 88°44'55" E, 459.61 feet along said line to the
 948 Northeast corner of the Southeast 1/4 of said Section
 949 19; thence entering Section 20, Township 24 South,
 950 Range 27 East run N 00°13'41" E, 708.14 feet along the

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951 West line of the Northwest 1/4 of said Section 20 to a
 952 point on the aforesaid Avalon Road right of way line
 953 and a point on a non-tangent curve concave
 954 Southeasterly having a radius of 2829.41 feet, and a
 955 central angle of 01°55'19"; thence from a tangent
 956 bearing of N 41°26'37" E run Northeasterly along the
 957 arc of said curve and right of way line, 94.91 feet;
 958 thence N 43°21'56" E, 753.57 feet along said right of
 959 way line to a point on the North line of the South 1/2
 960 of the Northwest 1/4 of said Section 20; thence N
 961 89°50'32" E, 2068.41 feet along said line to the
 962 Southeast corner of the Northeast 1/4 of the Northwest
 963 1/4 of said Section 20; thence N 00°21'49" E, 1334.18
 964 feet along the West line of the Northwest 1/4 of the
 965 Northeast 1/4 of said Section 20 to the Northwest
 966 corner of the Northeast 1/4; thence S 89°45'19" E,
 967 2697.33 feet along the North line of the Northeast 1/4
 968 of said Section 20 to the Northeast corner of said
 969 Section 20 and the Southeast corner of Section 17,
 970 Township 24 South, Range 27 East; thence entering said
 971 Section 17 N 00°02'13" E, 2669.40 feet along the East
 972 line of the Southeast 1/4 of Section 17 to the
 973 Northeast corner thereof; thence S 89°43'49" W,
 974 1347.90 feet along the South line of the East 1/2 of
 975 the Northeast 1/4 of Section 17, to the Southwest

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976 corner thereof; thence N 00°18'18" W, 2652.68 feet
 977 along the West line of the East 1/2 of the Northeast
 978 1/4 of Section 17 to the Northwest corner thereof;
 979 thence S 89°39'31" W, 2661.03 feet along the North
 980 line of Section 17 to the Northwest corner of the
 981 Northeast 1/4 of the Northwest 1/4 of Section 17 and
 982 the Southwest corner of the Southeast 1/4 of the
 983 Southwest 1/4 of Section 8, Township 24 South, Range
 984 27 East; thence N 00°24'44" E, 242.11 feet along the
 985 West line of the Southeast 1/4 of the Southwest 1/4 of
 986 Section 8 to a point on the Easterly right-of-way line
 987 of County Road 545 as described in Deed Book 402, Page
 988 355 of the Public Records of Orange County Florida;
 989 said point being a point on a non-tangent curve
 990 concave Westerly, having a radius of 2826.01 feet, and
 991 a central angle of 19°14'15"; thence from a tangent
 992 bearing of N 18°34'50" E, run Northerly along the arc
 993 of said curve and right-of-way, 948.86 feet; thence
 994 continue along said right-of-way, N 00°39'25" W,
 995 141.86 feet; thence N 89°41'27" E, 1188.92 feet along
 996 the North line of the Southeast 1/4 of the Southwest
 997 1/4 of Section 8 to the Northeast corner thereof;
 998 thence N 00°15'09" E, 1315.34 feet along the West line
 999 of the Northwest 1/4 of the Southeast 1/4 of Section 8
 1000 to the Northwest corner thereof; thence N 00°14'57" E,

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1001 50.00 feet along the West line of the Northeast 1/4 of
 1002 Section 8 to a point on the Northerly right-of-way
 1003 line of Hartzog Road as described in Official Records
 1004 Book 9782, Page 7172 of the Public Records of Orange
 1005 County Florida; thence run along said right-of-way
 1006 line the following three courses; N 89°43'25" E,
 1007 671.30 feet; N 23°57'49" E, 158.82 feet to a point on
 1008 a non-tangent curve concave Southwesterly having a
 1009 radius of 2750.09 feet, and a central angle of
 1010 04°43'07"; from a tangent bearing of S 33°16'29" E run
 1011 Southeasterly along the arc of said curve, 226.49
 1012 feet; thence N 89°43'24" E, 1038.21 feet along the
 1013 North line of the Southeast 1/4 of Section 8; to a
 1014 point on Deed recorded in Official Records Book 7121,
 1015 Page 2952 of the Public Records of Orange County
 1016 Florida; and a point on a non-tangent curve concave
 1017 Southerly having a radius of 2894.93 feet, and a
 1018 central angle of 08°15'21"; thence entering Section 9,
 1019 Township 24 South, Range 27 East, from a tangent
 1020 bearing of N 82°01'15" W run Westerly along the arc of
 1021 said curve and Deed, 417.14 feet; thence S 89°43'24"
 1022 W, 258.73 feet along said Deed to a point on the
 1023 Easterly right of way line of State Road 429 as
 1024 recorded in Official Records Book 7106, Page 7802 of
 1025 the Public Records of Orange County Florida; thence

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1026 run along said right of way line the following two
 1027 courses; N 21°29'36" W, 110.97 feet; N 20°48'24" W,
 1028 1048.03 feet; thence N 00°08'24" E, 211.55 feet along
 1029 the West line of the East 530.00 feet of the Southwest
 1030 1/4 of the Northeast 1/4 of said Section 8; thence S
 1031 89°41'25" W, 797.83 feet along the South line of the
 1032 North 1/2 of the Northeast 1/4 of said Section 8;
 1033 thence S 89°34'56" W, 1230.74 feet along the South
 1034 line of the Northeast 1/4 of the Northwest 1/4 of said
 1035 Section 8 to a point on the Easterly right of way line
 1036 of Avalon Boulevard as described in Deed Book 402,
 1037 Page 355 of the Public Records of Orange County
 1038 Florida; thence run along said right of way line the
 1039 following three courses; N 00°39'25" W, 853.44 feet to
 1040 a point on a non-tangent curve concave Easterly having
 1041 a radius of 3241.05 feet, and a central angle of
 1042 05°37'30"; from a tangent bearing of N 00°36'59" W run
 1043 Northerly along the arc of said curve, 318.19 feet; N
 1044 05°00'31" E, 152.48 feet; thence N 89°26'29" E,
 1045 1220.84 feet along the North line of the Northwest 1/4
 1046 of said Section 8 to the Northeast corner thereof;
 1047 thence N 89°39'25" E, 2650.62 feet along the North
 1048 line of the Northeast 1/4 of said Section 8 to the
 1049 Northeast corner thereof; thence entering Section 9,
 1050 Township 24 South, Range 27 East run, N 89°46'07" E,

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1051 1608.33 feet along the North line of the Northwest 1/4
 1052 of said Section 9; to a point on Southerly right of
 1053 way line of Seidel Road as described in Deed Book 789,
 1054 Page 243 and Deed Book 892, Page 552 of the Public
 1055 Records of Orange County Florida and a non-tangent
 1056 curve concave Northerly having a radius of 357.62
 1057 feet, and a central angle of 23°38'08"; thence from a
 1058 tangent bearing of S 66°08'04" W run Westerly along
 1059 the arc of said curve and right of way line, 147.53
 1060 feet; thence run along said right of way line the
 1061 following three courses; S 89°46'01" W, 139.26 feet; S
 1062 89°46'07" W, 1325.83 feet; S 89°39'24" W, 554.03 feet;
 1063 thence run along a right of way line described in
 1064 Official Records Book 7070, Page 2553 of the Public
 1065 Records of Orange County Florida the following; S
 1066 00°20'32" E, 20.00 feet; S 89°39'28" W, 363.61 feet; S
 1067 84°38'15" W, 372.03 feet; S 00°20'32" E, 14.94 feet; S
 1068 89°40'22" W, 138.87 feet; S 42°20'36" W, 55.11 feet; S
 1069 00°03'00" W, 857.17 feet to a point of curvature of a
 1070 curve concave Northeasterly having a radius of 250.01
 1071 feet, and a central angle of 90°21'35"; run
 1072 Southeasterly along the arc of said curve, 394.28
 1073 feet; N 89°41'19" E, 364.69 feet; S 00°18'35" E, 80.00
 1074 feet; S 89°41'25" W, 481.37 feet; thence departing
 1075 said right of way line run, S 89°41'25" W, 60.00 feet

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1076 along the South line of the North 1/2 of the Northeast
 1077 1/4 of said Section 8; thence N 00°08'23" E, 27.18
 1078 feet along a line that is 60.00 feet West of and
 1079 parallel with East line of the Northwest 1/4 of the
 1080 Northeast 1/4 of said Section 8; to a point on the
 1081 aforesaid right of way line and a non-tangent curve
 1082 concave Northeasterly having a radius of 350.02 feet,
 1083 and a central angle of 61°30'34"; from a tangent
 1084 bearing of N 60°12'31" W run Northwesterly along the
 1085 arc of said curve and right of way line, 375.76 feet;
 1086 thence departing said right of way line run, S
 1087 89°41'15" W, 483.83 feet along a right of way line
 1088 described in Official Records Book 7106, Page 2802 of
 1089 the Public Records of Orange County Florida to a point
 1090 that is 10.00 feet Easterly of when measure
 1091 perpendicular to the Easterly right of way line of
 1092 aforesaid State Road 429; and a point on a non-tangent
 1093 curve concave Easterly having a radius of 3721.85
 1094 feet, and a central angle of 03°53'37"; thence from a
 1095 tangent bearing of S 16°54'47" E run Southerly along
 1096 the arc of said curve and a line that is 10.00 feet
 1097 Easterly of and parallel with said right of way line,
 1098 252.93 feet; thence S 20°48'24" E, 96.16 feet along
 1099 said parallel to its intersection with a line that is
 1100 10.00 feet North of and parallel with the South line

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1101 of the Northwest 1/4 of the Northeast 1/4 of said
 1102 Section 8; thence N 89°41'25" E, 83.88 feet along said
 1103 line that is 10.00 feet North of and parallel with the
 1104 South line of the Northwest 1/4 of the Northeast 1/4
 1105 of said Section 8, to its intersection with the West
 1106 line of the East 520.00 feet of the Southwest 1/4 of
 1107 the Northeast 1/4 of said Section 8; thence S
 1108 00°08'24" W, 219.78 feet along the West line of the
 1109 East 520.00 feet of the Southwest 1/4 of the Northeast
 1110 1/4 of said Section 8, to its intersection with a line
 1111 that is 10.00 feet East of when measure perpendicular
 1112 to the Easterly right of way line of aforesaid State
 1113 Road 429; thence S 20°48'24" E, 836.45 feet along said
 1114 parallel line to a point on a Deed described in
 1115 Official Records Book 9324, Page 367 of the Public
 1116 Records of Orange County Florida; thence run along
 1117 said Deed the following six courses; S 87°25'27" E,
 1118 291.32 feet; thence N 88°48'53" E, 166.97 feet; N
 1119 86°44'00" E, 142.45 feet; N 06°27'19" W, 91.16 feet; N
 1120 28°52'42" E, 302.51 feet; N 69°30'43" E, 659.82 feet
 1121 to a point on a deed described in Official Records
 1122 Book 10810, Page 147 of the Public Records of Orange
 1123 County Florida; thence run along said Deed the
 1124 following four courses; N 84°17'43" E, 306.52 feet; N
 1125 55°03'52" E, 1274.60 feet; N 33°11'17" E, 877.94 feet;

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1126 N 08°37'23" E, 258.89 feet; thence N 89°46'07" E,
 1127 980.18 feet along the North line of the Northwest 1/4
 1128 of said Section 9 to the Northeast corner thereof;
 1129 thence S 00°03'05" W, 2653.53 feet along the East line
 1130 of the Northwest 1/4 of said Section 9 to the
 1131 Southeast corner thereof; thence S 89°44'05" W,
 1132 1325.36 feet along the South line of the Southeast 1/4
 1133 of the Northwest 1/4 of Section 9 to the Southwest
 1134 corner thereof; thence S 00°08'51" W, 1314.23 feet
 1135 along the East line of the Northwest 1/4 of the
 1136 Southwest 1/4 of Section 9 to the Southeast corner
 1137 thereof; thence N 89°45'10" E, 1327.55 feet along the
 1138 North line of the Southeast 1/4 of the Southwest 1/4
 1139 of Section 9 to the Northeast corner thereof; thence S
 1140 00°03'05" W, 1314.64 feet along the East line of the
 1141 Southeast 1/4 of the Southwest 1/4 of Section 9 to the
 1142 Southeast corner of the Southwest 1/4 of Section 9;
 1143 thence N 89°53'46" E, 2633.36 feet along the South
 1144 line of the Southeast 1/4 of Section 9 to the
 1145 Southeast corner thereof and the Southwest corner of
 1146 Section 10, Township 24 South, Range 27 East; thence N
 1147 00°15'35" E, 5286.81 feet along the West section line
 1148 of Section 10 to the Northwest corner thereof and the
 1149 Southwest corner of Section 3, Township 24 South,
 1150 Range 27 East; thence N 00°11'50" W, 2661.64 feet

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1151 along the West line of the Southwest 1/4, Section 3 to
 1152 the Northwest corner thereof; thence N 89°39'50" E,
 1153 3976.31 feet along the North line of the South half of
 1154 Section 3 to the Northeast corner of the Northwest 1/4
 1155 of the Southeast 1/4 of Section 3; thence S 00°04'39"
 1156 E, 1326.78 feet along the East line of the Northwest
 1157 1/4 of the Southeast 1/4 of Section 3 to the Northwest
 1158 corner of the Southeast 1/4 of the Southeast 1/4 of
 1159 Section 3; thence N 89°37'16" E, 1328.99 feet along
 1160 the North line of the Southeast 1/4 of the Southeast
 1161 1/4 of Section 3 to the Northeast corner thereof and
 1162 the Northwest corner of the Southwest 1/4 of the
 1163 Southwest 1/4 of Section 2, Township 24 South, Range
 1164 27 East; thence N 00°07'50" W, 1325.78 feet along the
 1165 West line of Northwest 1/4, of the Southwest 1/4, of
 1166 Section 2 to the Northwest corner thereof; thence N
 1167 00°07'43" W, 400.13 feet along the West line of the
 1168 Northwest 1/4, of Section 2; thence run along the
 1169 Northerly boundary of a deed recorded in Official
 1170 Records Book 1457, Page 934 of the Public Records of
 1171 Orange County Florida the following three courses; N
 1172 86°46'13" E, 1024.87 feet; N 77°37'23" E, 1103.42
 1173 feet; N 53°18'38" E, 1872.82 feet to a point on the
 1174 Southerly right-of-way line of Reams Road as shown on
 1175 Plat book 3, Page 85 of the Public Records of Orange

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1176 County Florida; thence run along said right-of-way
 1177 line the following three courses; S 43°40'10" E,
 1178 1382.92 feet to the beginning of a curve concave to
 1179 the Northeast, having a radius of 546.86 feet and a
 1180 central angle of 46°21'00"; thence run Southeasterly
 1181 along the arc of said curve 442.39 feet; thence N
 1182 89°58'50" E, 341.61 feet; thence leaving said right-
 1183 of-way, run S 00°19'24" E, 603.75 feet along the East
 1184 line of the Northeast 1/4 of Section 2, to the
 1185 Southeast corner thereof, and the Northwest corner of
 1186 the Northwest 1/4 of the Southwest 1/4 of Section 1,
 1187 Township 24 South, Range 27 East; thence N 89°43'47"
 1188 E, along the North line of the Northwest 1/4 of the
 1189 Southwest 1/4 of Section 1, 1297.19 feet to a point 25
 1190 feet West of the Northeast corner of the Northwest 1/4
 1191 of the Southwest 1/4 of Section 1; thence N 00°12'21"
 1192 W, 598.76 feet along a line that is 25.00 feet West of
 1193 and parallel to the West line of the Southeast 1/4 of
 1194 the Northwest 1/4 of Section 1 to the Southerly right-
 1195 of-way line of aforesaid Reams Road; thence N
 1196 89°56'46" E, 100.00 feet along said Southerly right-
 1197 of-way of Reams Road; thence run along the Easterly
 1198 and Northerly boundary of a deed recorded in Official
 1199 Records Book 1465, Page 307 of the Public Records of
 1200 Orange County Florida the following five courses; S

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1201 02°04'12" E, 523.43 feet; N 89°43'40" E, 52.00 feet; S
 1202 00°12'21" E, 49.00 feet; N 89°43'41" E, 229.00 feet; S
 1203 00°12'25" E, 26.23 feet; thence N 89°43'47" E, 1039.16
 1204 feet along the North line of the South half of Section
 1205 1 to a point 90.00 feet East of the Northeast corner
 1206 of the Southwest 1/4 of Section 1; thence S 05°34'33"
 1207 W, 911.86 feet; thence S 00°05'18" E, 420.00 feet
 1208 along the East line of the Northeast 1/4 of the
 1209 Southwest 1/4 of Section 1 to the Southeast corner
 1210 thereof; thence N 89°44'10" E, 2649.93 feet along the
 1211 North line of the South half of the Southeast 1/4 of
 1212 Section 1 to the Point of Beginning, containing
 1213 18508.530 acres more or less.
 1214
 1215 Less the following described parcels:
 1216
 1217 That portion of Lots 110 and 111 of the Munger and
 1218 Company Subdivision of Section 22, Township 24 South,
 1219 Range 28 East according to the Plat recorded in Plat
 1220 Book E Page 22 of the Public Records of Orange County
 1221 Florida, being more particularly described as:
 1222
 1223 Commence at the Northwest corner of the Southwest 1/4
 1224 of the Southwest 1/4 of Section 22, run S 89°27'13" E,
 1225 464.18 feet along the North line of the Southwest 1/4

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1226 of the Southwest 1/4 of Section 22; thence S 00°32'47"
 1227 W, 15.00 feet to a point on the North line of said Lot
 1228 111 and the Point of Beginning; thence S 89°27'13" E,
 1229 300.00 feet along the North line of Lots 110, and 111
 1230 to the West right-of-way of State Road 535 as shown in
 1231 map section 75280-2465 and dated 2/22/1993; thence S
 1232 04°05'32" E, 150.49 feet along the said right-of-way;
 1233 thence N 89°27'13" W, 312.17 feet along the South line
 1234 of the North 150.00 feet said Lots 110 and 111; thence
 1235 N 00°32'47" E, 150.00 feet to the Point of Beginning,
 1236 containing 1.054 acres more or less.
 1237
 1238 AND
 1239
 1240 That part of the Northwest 1/4 of the Southeast 1/4 of
 1241 the Southwest 1/4 and the Northeast 1/4 of the
 1242 Southwest 1/4 of the Southwest 1/4 of Section 22,
 1243 Township 24 South, Range 28 East, being more
 1244 particularly described as:
 1245
 1246 Commence at the Northwest corner of the Southwest 1/4
 1247 of the Southwest 1/4 of Section 22, run along the
 1248 North line of the South 1/2 of the Southwest 1/4 of
 1249 Section 22, S 89°27'13" E, 985.26 feet, to the Point
 1250 of Beginning; thence continue along said line S

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1251 89°27'13" E, 642.78 feet; thence run along the
 1252 Westerly right-of-way line of State Road 400 as shown
 1253 in map section 75280-2465 and dated 2/22/1993 the
 1254 following three courses; S 46°05'23" W, 681.12 feet to
 1255 a point on a non-tangent curve concave Northerly
 1256 having a radius of 60.00 feet, and a central angle of
 1257 118°45'23"; from a tangent bearing of S 46°06'36" W
 1258 run Westerly along the arc of said curve, 124.36 feet;
 1259 N 15°07'40" W, 205.41 feet; thence run along the West
 1260 line of Lot 109 of the Munger and Company Subdivision
 1261 of Section 22, according to the Plat recorded in Plat
 1262 Book E Page 22 of the Public Records of Orange County
 1263 Florida, N 00°14'30" E, 252.64 feet to the Point of
 1264 Beginning, containing 4.225 acres more or less.

1265
 1266 AND

1267
 1268 A parcel of land lying in Section 21, Township 24
 1269 South, Range 27 East, Orange County, Florida, and
 1270 being more particularly described as follows:
 1271
 1272 Commence at the Southwest corner of the Southeast 1/4
 1273 of said Section 21, run along the South line of the
 1274 Southeast 1/4 of said Section 21, N 89°48'15" E,
 1275 660.44 feet; thence run along the East line of the

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1276 West 1/2 of the Southwest 1/4 of the Southeast 1/4 of
 1277 said Section 21, N 00°06'58" E, 45.92 feet to a point
 1278 on the right of way line of State Road 429 as
 1279 described in Official Records Book 7106, Page 2802 of
 1280 the Public Records of Orange County Florida and the
 1281 Point of Beginning; thence run along said right of way
 1282 line the following courses; said point being on a non-
 1283 tangent curve concave Easterly having a radius of
 1284 808.57 feet, and a central angle of 12°10'43"; from a
 1285 tangent bearing of N 27°06'04" W run Northerly along
 1286 the arc of said curve, 171.87 feet; to a point on a
 1287 non-tangent curve concave Easterly having a radius of
 1288 813.16 feet, and a central angle of 13°13'43"; from a
 1289 tangent bearing of N 13°24'32" W run Northerly along
 1290 the arc of said curve, 187.75 feet; N 00°10'49" W,
 1291 34.65 feet; N 34°53'25" W, 249.37 feet; thence S
 1292 89°49'15" W, 363.27; thence S 44°56'13" W, 63.78 feet;
 1293 thence N 00°05'30" E, 270.02 feet; thence S 45°02'35"
 1294 E, 63.51 feet; thence N 89°49'15" E, 487.12 feet;
 1295 thence N 00°10'49" W, 63.00 feet to a point on a non-
 1296 tangent curve concave Northerly having a radius of
 1297 230.30 feet, and a central angle of 26°54'59"; thence
 1298 from a tangent bearing of N 89°49'10" E run Easterly
 1299 along the arc of said curve, 108.19 feet; thence S
 1300 00°06'57" W, 854.01 feet along the East line of the

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1301 West 1/2 of the Southwest 1/4 of the Southeast 1/4 of
 1302 said Section 21 to the Point of Beginning, containing
 1303 4.099 Acres, more or less.

1304
 1305 AND

1306
 1307 A parcel of land lying in Section 8, Township 24
 1308 South, Range 27 East, Orange County, Florida, and
 1309 being more particularly described as follows:
 1310 Commence at the Southwest corner of said Section 8,
 1311 run along the South line of the Southwest 1/4 of said
 1312 Section 8, N 89°50'41" E, 1330.48 feet to the
 1313 Southwest corner of the Southeast 1/4 of the Southwest
 1314 1/4 of said Section and Point of Beginning; thence run
 1315 along the West line of the Southeast 1/4 of the
 1316 Southwest 1/4 of said Section, N 00°34'59" E, 242.55
 1317 feet to a point on the Easterly right of way line of
 1318 County Road 545 as shown on Orange County right of way
 1319 map, Project number 12167.001 dated November 14, 2014
 1320 and a point on a non-tangent curve concave Westerly
 1321 having a radius of 3060.00 feet, and a central angle
 1322 of 18°29'12"; thence from a tangent bearing of N
 1323 18°00'02" E run Northerly along the arc of said curve
 1324 and right of way line, 987.32 feet; thence run along
 1325 said right of way line, N 00°29'10" W, 101.48 feet;

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1326 thence run along the North line of the Southeast 1/4
 1327 of the Southwest 1/4 of said Section, N 89°52'12" E,
 1328 1189.00 feet to the Northeast corner thereof; thence
 1329 run along the West line of the Northwest 1/4 of the
 1330 Southeast 1/4 of said Section, N 00°25'36" E, 1264.73
 1331 feet to a point on the Hartzog Road right of way line
 1332 as described in Official Records Book 9735, Page 8005
 1333 of the Public Records of Orange County Florida; thence
 1334 run along said right of way line the following four
 1335 courses; N 89°53'40" E, 207.17 feet to a point of
 1336 curvature of a curve concave Southwesterly having a
 1337 radius of 802.00 feet, and a central angle of
 1338 65°19'49"; run Southeasterly along the arc of said
 1339 curve, 914.46 feet; S 24°46'31" E, 499.49 feet; thence
 1340 S 23°37'46" E, 1806.70 feet to a point on the South
 1341 line of said Section 8; thence run along said South
 1342 line, S 89°50'41" W, 3220.01 feet to the Point of
 1343 Beginning, containing 114.287 Acres, more or less.

1344
 1345 AND

1346
 1347 A parcel of land lying in Section 21, Township 24
 1348 South, Range 27 East, Orange County, Florida, and
 1349 being more particularly described as follows:

1350

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1351 Commence at the Southwest corner of the Southeast 1/4
 1352 of said Section 21, run along the West line of the
 1353 Southeast 1/4 of said Section 21, N 00°05'30" E,
 1354 2639.67 feet to the Northwest corner thereof; thence S
 1355 89°44'35" E, 242.86 feet along the North line of the
 1356 Southeast 1/4 of said Section 21, to a point on the
 1357 Westerly right of way line of State Road 429 as
 1358 described in Official Records Book 7106, Page 2802 of
 1359 the Public Records of Orange County Florida and the
 1360 Point of Beginning; thence S 89°44'35" E, 373.80 feet
 1361 along the North line of the Southeast 1/4 of said
 1362 Section 21, to a point on the Easterly right of way
 1363 line of State Road 429; thence run along said Easterly
 1364 right of way line the following four courses; S
 1365 23°48'31" E, 112.11 feet to a point of curvature of a
 1366 curve concave Northeasterly having a radius of 2776.91
 1367 feet, and a central angle of 18°14'12"; run
 1368 Southeasterly along the arc of said curve, 883.86
 1369 feet; S 42°02'46" E, 340.85 feet to a point of
 1370 curvature of a curve concave Southwesterly having a
 1371 radius of 1721.96 feet, and a central angle of
 1372 09°21'52"; run Southeasterly along the arc of said
 1373 curve, 281.43 feet; thence departing said Easterly
 1374 right of way line run, N 89°58'14" W, 807.21 feet
 1375 along the South line of the North 1/2 of the Southeast

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1376 1/4 of said Section 21 to a point on the aforesaid
 1377 Westerly right of way line; thence run along said line
 1378 the following courses, N 17°48'35" W, 924.64 feet; S
 1379 72°11'25" W, 37.05 feet; N 20°48'35" W, 481.54 feet to
 1380 the Point of Beginning, containing 15.875 Acres, more
 1381 or less.
 1382
 1383 Containing in aggregate 18368.992 acres more or less
 1384 in Orange County Florida.
 1385
 1386 (2) In Osceola County, Florida:
 1387 A parcel of land lying in Sections 1, 2, 11 through
 1388 14, 23 through 26, Township 25 South, Range 27 East,
 1389 and Sections 5 through 9, 16 through 20, 30 and 31,
 1390 Township 25 South, Range 28 East, Osceola County,
 1391 Florida, and being more particularly described as
 1392 follows:
 1393
 1394 Begin at the Northwest corner of said Section 6, run
 1395 along the North line of the Northwest 1/4 of Section
 1396 6, Township 25 South, Range 28 East run, S 89°56'54" E,
 1397 2748.82 feet to the Northeast corner thereof; thence S
 1398 89°36'01" E, 2646.94 feet along the North line of the
 1399 Northeast 1/4 of said Section 6 to the Northeast
 1400 corner thereof; thence entering Section 5, Township 25

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1401 South, Range 28 East run N 89°42'15" E, 2600.72 feet
 1402 along the North line of the Northwest 1/4 of said
 1403 Section 5 to the Northeast corner thereof; thence S
 1404 89°17'26" E, 153.63 feet along the North line of the
 1405 Northeast 1/4 of said Section 5 to a point on the
 1406 State Road 400 right of way line shown on Map Section
 1407 92130-2401 and dated August 28, 1969; thence run along
 1408 said right of way line the following three courses; S
 1409 38°30'29" W, 248.14 feet to a point of curvature of a
 1410 curve concave Northwesterly having a radius of
 1411 85794.19 feet, and a central angle of 01°26'58"; run
 1412 Southwesterly along the arc of said curve, 2170.39
 1413 feet; S 39°57'27" W, 2021.20 feet; thence S 01°12'07"
 1414 W, 1838.47 feet along the West line of the Southwest
 1415 1/4 of said Section 5 to the Southwest corner thereof;
 1416 thence entering Section 8, Township 25 South, Range 28
 1417 East run N 89°47'15" E, 2643.05 feet along the North
 1418 line of the Northwest 1/4 of said Section 8 to the
 1419 Northeast corner thereof; thence N 89°44'15" E,
 1420 2642.73 feet along the North line of the Northeast 1/4
 1421 of said Section 8 to the Northeast corner thereof;
 1422 thence entering Section 9, Township 25 South, Range 28
 1423 East run N 89°47'42" E, 1315.60 feet along the North
 1424 line of the West 1/2 of the Northwest 1/4 of said
 1425 Section 9 to the Northeast corner thereof; thence S

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1426 00°04'39" E, 2645.23 feet along the East line of the
 1427 West 1/2 of the Northwest 1/4 of said Section 9;
 1428 thence S 00°03'27" E, 1320.49 feet along the East line
 1429 of the Northwest 1/4 of the Southwest 1/4 of said
 1430 Section 9; thence N 89°46'36" E, 1311.24 feet along
 1431 the North line of the Southeast 1/4 of the Southwest
 1432 1/4 of said Section 9; thence N 89°54'53" E, 1343.01
 1433 feet along the North line of the Southwest 1/4 of the
 1434 Southeast 1/4 of said Section 9; thence S 00°00'12" E,
 1435 1320.26 feet along the East line of the Southwest 1/4
 1436 of the Southeast 1/4 of said Section 9; thence S
 1437 89°58'40" W, 1342.90 feet along the South line of the
 1438 Southwest 1/4 of the Southeast 1/4 of said Section 9;
 1439 thence S 89°42'06" W, 1310.10 feet along the South
 1440 line of the Southeast 1/4 of the Southwest 1/4 of said
 1441 Section 9; thence entering Section 16, Township 25
 1442 South, Range 28 East run S 00°42'14" E, 1335.79 feet
 1443 along the East line of the Northwest 1/4 of the
 1444 Northwest 1/4 of said Section 16; thence S 89°44'25"
 1445 W, 1319.70 feet along the South line of the Northwest
 1446 1/4 of the Northwest 1/4 of said Section 16; thence S
 1447 00°17'31" E, 1334.87 feet along the West line of the
 1448 Southwest 1/4 of the Northwest 1/4 of said Section 16;
 1449 thence N 89°46'42" E, 2658.61 feet along the North
 1450 line of the Southwest 1/4 of said Section 16; thence S

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1451 01°06'54" E, 1338.43 feet along the East line of the
 1452 Northeast 1/4 of the Southwest 1/4 of said Section 16;
 1453 thence S 89°51'04" W, 2677.84 feet along the South
 1454 line of the North 1/2, of the Southwest 1/4 of said
 1455 Section 16; thence S 00°17'31" E, 1334.87 feet West
 1456 line of the Southwest 1/4 of the Southwest 1/4 of said
 1457 Section 16 to the Southwest corner of said Section 16;
 1458 thence entering Section 20, Township 25 South, Range 28
 1459 East run S 00°20'44" E, 5339.36 feet along the East
 1460 line of said Section 20 to the Southeast corner
 1461 thereof; thence S 89°31'09" W, 5313.04 feet along the
 1462 South line of said Section 20 to the Southwest corner
 1463 thereof; thence entering Section 30, Township 25 South,
 1464 Range 28 East run S 00°24'07" W, 5287.28 feet along
 1465 the East line of said Section 30 to the Southeast
 1466 corner thereof; thence entering Section 31, Township 25
 1467 South, Range 28 East run S 00°25'58" W, 2630.53 feet
 1468 along the East line of the Northeast 1/4 of said
 1469 Section 31 to the Southeast corner thereof; thence S
 1470 00°26'32" W, 1339.91 feet along the East line of the
 1471 Northeast 1/4 of the Southeast 1/4 of said Section 31;
 1472 thence S 89°38'07" W, 1325.49 feet along the South
 1473 line of the Northeast 1/4 of the Southeast 1/4 of said
 1474 Section 31; thence N 00°21'55" E, 1337.78 feet along
 1475 the West line of the Northeast 1/4 of the Southeast

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1476 1/4 of said Section 31; thence S 89°32'39" W, 663.66
 1477 feet along the South line of the East 1/2 of the West
 1478 1/2 of the Northeast 1/4 of said Section 31; thence N
 1479 00°19'27" E, 2635.75 feet along the West line of the
 1480 East 1/2 of the West 1/2 of the Northeast 1/4 of said
 1481 Section 31; thence entering Section 30, Township 25
 1482 South, Range 28 East run S 89°41'46" W, 665.30 feet
 1483 along the South line of the Southeast 1/4 of said
 1484 Section 30 to the Southwest corner thereof; thence S
 1485 89°41'31" W, 2661.88 feet along the South line of the
 1486 Southwest 1/4 of said Section 30 to the Southwest
 1487 corner thereof; thence entering Section 25, Township
 1488 25 South, Range 27 East run S 89°54'33" W, 2658.96
 1489 feet run along the South line of the Southeast 1/4 of
 1490 said Section 25 to the Southwest corner thereof;
 1491 thence S 89°52'03" W, 2644.80 feet along the South
 1492 line of the Southwest 1/4 of said Section 25 to the
 1493 Southwest corner thereof; thence entering Section
 1494 26, Township 25 South, Range 27 East run S 89°49'42" W,
 1495 1327.07 feet along the South line of the Southeast 1/4
 1496 of the Southeast 1/4 of said Section 26; thence N
 1497 00°03'44" W, 1330.70 feet along West line of the
 1498 Southeast 1/4 of the Southeast 1/4 of said Section 26;
 1499 thence S 89°52'21" W, 1326.94 feet along South line of
 1500 the Northwest 1/4 of the Southeast 1/4 of said Section

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1501 26; thence N 00°03'24" W, 1331.72 feet along West line
 1502 of the Northwest 1/4 of the Southeast 1/4 of said
 1503 Section 26; thence S 89°55'00" W, 1666.58 feet along
 1504 the South line of the Northwest 1/4 of said Section
 1505 26; thence N 00°00'25" W, 1930.44 feet along the West
 1506 line of the East 5/8 of the Northwest 1/4 of said
 1507 Section 26, to a point on the Easterly right of way
 1508 line of State Road 400 as described in Official
 1509 Records Book 2326, Page 701 of the Public Records of
 1510 Osceola County Florida and a non-tangent curve concave
 1511 Southeasterly having a radius of 3921.00 feet, and a
 1512 central angle of 14°53'09"; thence from a tangent
 1513 bearing of N 25°02'25" E run Northeasterly along the
 1514 arc of said curve and right of way line, 1018.71 feet;
 1515 thence continue along said right of way line the
 1516 following two courses; N 39°57'15" E, 901.93 feet; N
 1517 50°02'45" W, 9.00 feet; thence N 39°57'15" E, 654.77
 1518 feet along the State Road 400 right of way line shown
 1519 on Map Section 92130-2401 and dated August 28, 1969;
 1520 thence N 89°45'55" E, 128.02 feet along the North line
 1521 of the Southeast 1/4 of the Southwest 1/4 Section
 1522 23, Township 25 South, Range 27 East; thence N
 1523 00°05'36" E, 3974.79 feet along the West line of the
 1524 East 1/2 of said Section 23; thence entering Section
 1525 14, Township 25 South, Range 27 East run N 00°01'48" W,

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1526 1338.67 feet along West line of the Southwest 1/4 of
 1527 the Southeast 1/4 of said Section 14; thence S
 1528 89°58'43" W, 431.70 feet along the South line of the
 1529 Northeast 1/4 of the Southwest 1/4 of said Section 14;
 1530 thence N 00°04'30" W, 1337.83 feet along the East line
 1531 of the West 235.00 feet of the East 1/2 of the
 1532 Northeast 1/4 of the Southwest 1/4 of said Section 14;
 1533 thence S 89°52'00" W, 235.00 feet along the South line
 1534 of the Northwest 1/4 of said Section 14; thence N
 1535 00°04'30" W, 1328.24 feet along the West line of East
 1536 1/2 of the Southeast 1/4 of the Northwest 1/4 of said
 1537 Section 14; thence S 89°49'34" W, 334.40 feet along
 1538 the South line of the East 1/2 of the West 1/2 of the
 1539 Northeast 1/4 of the Northwest 1/4 of said Section 14;
 1540 thence N 00°05'51" W, 1328.00 feet along the West line
 1541 of the East 1/2 of the West 1/2 of the Northeast 1/4
 1542 of the Northwest 1/4 of said Section 14; thence
 1543 entering Section 11, Township 25 South, Range 27 East
 1544 run S 89°47'08" W, 1004.74 feet along the Southwest
 1545 1/4 of said Section 11; thence N 00°10'06" E, 666.14
 1546 feet along the West line of the Southeast 1/4 of the
 1547 Southwest 1/4 of the Southwest 1/4 of said Section 11;
 1548 thence S 89°53'39" W, 419.88 feet along the South line
 1549 of the Northwest 1/4 of the Southwest 1/4 of the
 1550 Southwest 1/4 of said Section 11; thence N 00°16'32"

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1551 E, 208.71 feet along a line that is 208.71 feet East
 1552 of and parallel with the East right of way line of
 1553 County Road 545 as shown on Map Section 9257-150 dated
 1554 June 21, 1955; thence S 89°53'43" W, 208.71 feet along
 1555 a line that is 208.71 feet North of and parallel with
 1556 South line of the Southwest 1/4 of said Section 11;
 1557 thence N 00°16'32" E, 458.63 feet along the aforesaid
 1558 East right of way line of County Road 545; thence S
 1559 89°59'41" E, 293.67 feet along the North line of the
 1560 Northwest 1/4 of the Southwest 1/4 of the Southwest
 1561 1/4 of said Section 11; thence N 00°13'21" E, 666.77
 1562 feet along the West line of the East 1/2 of the
 1563 Southwest 1/4 of the Northwest 1/4 of the Southwest
 1564 1/4 of said Section 11; thence S 89°53'03" E, 666.11
 1565 feet along the North line of the South 1/2 of the
 1566 Northwest 1/4 of the Southwest 1/4 of said Section 11;
 1567 thence N 00°06'58" E, 615.49 feet along the West line
 1568 of the East 1/2 of the Northeast 1/4 of the Northwest
 1569 1/4 of the Southwest 1/4 of said Section 11; thence S
 1570 89°46'25" E, 332.34 feet along a line 50.00 feet South
 1571 of and parallel with the North line of the Southwest
 1572 1/4 of said Section 11; thence N 00°13'26" E, 50.00
 1573 feet West line of the Northeast 1/4 of the Southwest
 1574 1/4 of said Section 11; thence S 89°46'24" E, 332.44
 1575 feet along the South line of the West 1/2 of the

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1576 Southwest 1/4 of the Southeast 1/4 of the Northwest
 1577 1/4 of said Section 11; thence N 00°00'19" W, 663.86
 1578 feet along the West line of the East 1/2 of the
 1579 Southwest 1/4 of the Southeast 1/4 of the Northwest
 1580 1/4 of said Section 11; thence S 89°51'37" E, 331.87
 1581 feet along the North line of the East 1/2 of the
 1582 Southwest 1/4 of the Southeast 1/4 of the Northwest
 1583 1/4 of said Section 11; thence N 00°03'15" W, 1328.72
 1584 feet along the West line of the East 1/4 of the
 1585 Northwest 1/4 of said Section 11; thence N 89°57'56"
 1586 E, 661.47 feet along the North line of the Southeast
 1587 1/4 of the Northeast 1/4 of the Northwest 1/4 of
 1588 Section 11; thence N 00°09'07" W, 665.37 feet along
 1589 the West line of the Northeast 1/4 of said Section 11
 1590 to the Northwest corner of the Northeast 1/4 of said
 1591 Section 11; thence entering Section 2, Township 25
 1592 South, Range 27 East run N 00°22'03" E, 5290.72 feet
 1593 along the West line of the East 1/2 of said Section 2;
 1594 thence S 89°44'07" W, 495.03 feet along a line 10.00
 1595 feet South of and parallel with the North line of the
 1596 Northwest 1/4 of said Section 2; thence S 00°22'03" W,
 1597 1390.09 feet along a line 495.00 feet West of and
 1598 parallel with the West line of the East 1/2 of said
 1599 Section 2; thence S 89°44'07" W, 2110.14 feet along a
 1600 line 1400.00 feet South of and parallel with the North

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1601 line of the Northwest 1/4 of said Section 2 to a point
 1602 on the Easterly boundary of de-annexation Resolution
 1603 No. 442 on record at Reedy Creek Improvement District;
 1604 thence run along said boundary the following courses;
 1605 N 02°17'23" E, 40.72 feet; N 18°56'28" E, 11.18 feet;
 1606 N 00°08'32" E, 14.20 feet; N 45°08'32" E, 35.36 feet;
 1607 S 89°51'28" E, 4.49 feet; N 00°08'32" E, 60.00 feet; N
 1608 44°51'28" W, 35.36 feet; N 00°08'32" E, 10.44 feet; N
 1609 44°51'28" W, 4.24 feet; N 00°08'32" E, 346.14 feet; N
 1610 01°09'08" W, 176.69 feet; N 44°51'28" W, 39.61 feet; N
 1611 00°08'32" E, 660.14 feet to a point on the North line
 1612 of the Northwest 1/4 of said Section 2 and being 25.00
 1613 feet East of the Northwest corner of said Section 2;
 1614 thence N 89°44'07" E, 2636.05 feet along the North
 1615 line of the Northwest 1/4 of said Section 2 to the
 1616 Northeast corner thereof; thence N 89°48'35" E,
 1617 2652.59 feet along the North line of the Northeast 1/4
 1618 of said Section 2 to the Northeast corner thereof;
 1619 thence entering Section 1, Township 25 South, Range 27
 1620 East run N 89°46'36" E, 2656.21 feet along the North
 1621 line of the Northwest 1/4 of said Section 1 to the
 1622 Northeast corner thereof; thence N 89°50'04" E,
 1623 2658.48 feet along the North line of the Northeast 1/4
 1624 of said Section 1 to the Northeast corner thereof to
 1625 the Point of Beginning, containing 11063.93, acres

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1626 more or less.
 1627
 1628 Less and except the following:
 1629
 1630 A parcel of land lying in Sections 11 , Township 25
 1631 South, Range 27 East, Osceola County, Florida, and
 1632 being more particularly described as follows:
 1633
 1634 Commence at the Northwest corner of the Northeast 1/4
 1635 of said Section 11, run along the West line of the
 1636 Northeast 1/4 of said Section 11, S 00°09'07" E,
 1637 132.00 feet; thence N 89°52'08" E, 1175.60 feet along
 1638 a line that is 132.00 feet South of and parallel with
 1639 the North line of the Northeast 1/4 of said Section 11
 1640 to a point on the boundary of de-annexation Resolution
 1641 No. 291 as described in Official Records Book 1235,
 1642 Page 1769 of the Public Records of Osceola County,
 1643 Florida, and the Point of Beginning; thence continue
 1644 along aforesaid parallel line, N 89°52'08" E, 240.18
 1645 feet to a point on a deed recorded in Official Records
 1646 Book 1563, Page 2410 of the Public Records of Osceola
 1647 County Florida; thence run along said line following
 1648 two courses; S 79°55'37" E, 62.09 feet; N 89°52'08" E,
 1649 193.48 feet to a point on a deed recorded in Official
 1650 Records Book 1674, Page 2470 of the Public Records of

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1651 Osceola County Florida; thence run along said deed the
 1652 following five courses; S 00°07'52" E, 207.00 feet; S
 1653 89°52'08" W, 350.00 feet; S 00°07'52" E, 500.00 feet;;
 1654 N 89°52'08" E, 400.00 feet; N 00°07'52" W, 707.00 feet
 1655 to a point on the aforementioned deed recorded in
 1656 Official Records Book 1563, Page 2410; thence run
 1657 along said deed the following courses; N 89°52'09" E,
 1658 2.14 feet; S 45°03'23" E, 42.36 feet; S 00°00'00" E,
 1659 174.79 feet to a point of curvature of a curve concave
 1660 Easterly having a radius of 1597.84 feet, and a
 1661 central angle of 09°05'25"; run Southerly along the
 1662 arc of said curve, 253.51 feet; S 09°05'25" E, 282.87
 1663 feet to a point of curvature of a curve concave
 1664 Westerly having a radius of 1457.85 feet, and a
 1665 central angle of 26°10'31"; run Southerly along the
 1666 arc of said curve, 666.01 feet; S 17°05'06" W, 544.65
 1667 feet to a point of curvature of a curve concave
 1668 Northeasterly having a radius of 1597.85 feet, and a
 1669 central angle of 102°07'51"; run Southeasterly along
 1670 the arc of said curve, 2848.19 feet to a point on a
 1671 deed recorded in Official Records Book 1674, Page 2470
 1672 of the Public Records of Osceola County Florida;
 1673 thence departing deed recorded in Official Records
 1674 Book 1674, Page 2470 following the deed recorded in
 1675 Official Records Book 1674, Page 2470 following

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1676 courses; said point being a point of compound
 1677 curvature of a curve concave Northerly having a radius
 1678 of 1597.89 feet, and a central angle of 07°30'00"; run
 1679 Easterly along the arc of said curve, 209.16 feet; S
 1680 54°40'11" E, 66.55 feet; S 12°49'30" E, 117.68 feet to
 1681 a point on a non-tangent curve concave Easterly having
 1682 a radius of 2009.86 feet, and a central angle of
 1683 24°18'27"; from a tangent bearing of S 10°48'36" W run
 1684 Southerly along the arc of said curve, 852.67 feet; S
 1685 13°29'51" E, 341.79 feet; S 13°29'51" E, 408.71 feet
 1686 to a point of curvature of a curve concave Westerly
 1687 having a radius of 1809.86 feet, and a central angle
 1688 of 11°41'10"; run Southerly along the arc of said
 1689 curve, 369.14 feet; to a point of compound curvature
 1690 of a curve concave Westerly having a radius of 1809.86
 1691 feet, and a central angle of 17°06'44"; thence run
 1692 Southerly along the arc of said curve, 540.54 feet; S
 1693 15°17'58" W, 294.15 feet; thence departing said deed
 1694 run along the Westerly right of way line of State Road
 1695 400 and World Drive Interchange as described in
 1696 Official Records Book 1659, Page 1492 of the Public
 1697 Records of Osceola County Florida the following
 1698 courses; S 15°15'17" W, 300.03 feet; N 74°44'43" W,
 1699 45.00 feet; S 17°31'41" W, 302.54 feet; thence S
 1700 15°15'11" W, 177.35 feet to a point on a non-tangent

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1701 curve concave Easterly having a radius of 4501.37
 1702 feet, and a central angle of 06°46'34"; from a tangent
 1703 bearing of S 15°15'19" W run Southerly along the arc
 1704 of said curve, 532.35 feet; S 08°28'42" W, 421.43
 1705 feet; S 81°31'15" E, 26.00 feet; S 08°28'45" W, 543.00
 1706 feet; N 81°31'15" W, 26.00 feet; S 08°28'44" W,
 1707 1288.75 feet to a point of curvature of a curve
 1708 concave Northwesterly having a radius of 1051.92 feet,
 1709 and a central angle of 30°21'09"; run Southwesterly
 1710 along the arc of said curve, 557.26 feet; S 38°49'53"
 1711 W, 892.32 feet to a point on the aforesaid Reedy Creek
 1712 Improvement District de-annexation Resolution No. 291;
 1713 thence run along said de-annexation boundary the
 1714 following courses; N 34°24'01" W, 342.34 feet; thence
 1715 N 41°10'58" E, 504.10 feet; N 56°53'24" W, 1046.80
 1716 feet; N 00°00'05" W, 182.99 feet; N 00°00'05" W,
 1717 262.45 feet; N 00°00'05" W, 604.56 feet; N 20°22'32"
 1718 E, 1354.78 feet; N 39°36'34" E, 1142.27 feet; N
 1719 89°59'55" E, 550.00 feet; N 00°00'05" W, 1600.00 feet;
 1720 N 53°58'26" W, 680.07 feet; N 11°08'10" W, 1105.17
 1721 feet; N 44°36'19" W, 1268.50 feet; N 61°15'45" W,
 1722 889.74 feet; N 18°33'37" W, 469.54 feet; thence N
 1723 00°00'05" W, 391.70 feet; N 89°59'55" E, 48.91 feet; N
 1724 06°11'23" E, 746.77 feet; thence N 13°51'33" E, 679.15
 1725 feet; N 45°31'55" E, 264.41 feet; N 89°59'55" E,

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1726 356.15 feet; thence N 00°00'05" W, 317.21 feet to the
 1727 Point of Beginning, containing 263.49 acres, more or
 1728 less.
 1729
 1730 AND
 1731
 1732 A parcel of land lying in Sections 11 and 12, Township
 1733 25 South, Range 27 East, Osceola County, Florida, and
 1734 being more particularly described as follows:
 1735
 1736 Commence at the Northwest corner of the Northeast 1/4
 1737 corner of said Section 11, run along the North line of
 1738 the Northeast 1/4 of said Section 11, S 00°09'07" E,
 1739 132.00 feet; thence N 89°52'08" E, 1922.52 feet along
 1740 a line that is 132.00 feet South of and parallel with
 1741 the North line of the Northeast 1/4 of said Section 11
 1742 to a point on Southerly right of way line of State
 1743 Road 530 and a point on the boundary of de-annexation
 1744 Resolution No. 291 as described in Official Records
 1745 Book 1235, Page 1769 of the Public Records of Osceola
 1746 County, Florida, and the Point of Beginning; thence
 1747 run along said boundaries the following five courses;
 1748 N 89°52'07" E, 728.48 feet; N 89°52'44" E, 1251.91
 1749 feet; N 89°50'43" E, 190.56 feet to a point on a non-
 1750 tangent curve concave Northeasterly having a radius of

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1751 814.00 feet, and a central angle of 20°35'33"; from a
 1752 tangent bearing of S 19°06'55" E run Southeasterly
 1753 along the arc of said curve, 292.56 feet; to a point
 1754 on a non-tangent curve concave Northeasterly having a
 1755 radius of 1073.93 feet, and a central angle of
 1756 17°34'32"; from a tangent bearing of S 36°35'41" E run
 1757 Southeasterly along the arc of said curve, 329.43
 1758 feet; thence departing said right of way line continue
 1759 along the aforesaid de-annexation boundary the
 1760 following courses; S 00°08'00" E, 455.76 feet; N
 1761 89°52'00" E, 20.00 feet; S 00°08'00" E, 488.84 feet
 1762 to a point on a non-tangent curve concave Westerly
 1763 having a radius of 1759.86 feet, and a central angle
 1764 of 33°38'13"; from a tangent bearing of S 00°08'08" E
 1765 run Southerly along the arc of said curve, 1033.17
 1766 feet; S 33°30'09" W, 1183.50 feet to a point of
 1767 curvature of a curve concave Southeasterly having a
 1768 radius of 2059.86 feet, and a central angle of
 1769 14°13'45"; run Southwesterly along the arc of said
 1770 curve, 511.56 feet; to a point on a non-tangent curve
 1771 concave Northerly having a radius of 1457.89 feet, and
 1772 a central angle of 12°05'33"; from a tangent bearing
 1773 of S 82°51'48" W run Westerly along the arc of said
 1774 curve, 307.69 feet; to a point of compound curvature
 1775 of a curve concave Northerly having a radius of

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1776 1457.79 feet, and a central angle of 29°15'05"; run
 1777 Westerly along the arc of said curve, 744.25 feet; N
 1778 34°12'14" E, 149.99 feet; N 38°16'56" W, 139.49 feet;
 1779 N 20°31'56" W, 110.01 feet; N 70°14'49" W, 129.46
 1780 feet; N 45°48'22" W, 132.54 feet; S 89°14'11" W,
 1781 181.70 feet to a point on a non-tangent curve concave
 1782 Easterly having a radius of 1457.85 feet, and a
 1783 central angle of 47°22'50"; from a tangent bearing of
 1784 N 30°17'44" W run Northerly along the arc of said
 1785 curve, 1205.56 feet; N 17°05'06" E, 386.62 feet; S
 1786 72°54'50" E, 290.44 feet; N 10°23'11" E, 320.40 feet;
 1787 N 04°30'12" E, 320.81 feet; N 87°47'48" W, 244.99
 1788 feet to a point on a non-tangent curve concave
 1789 Westerly having a radius of 1597.84 feet, and a
 1790 central angle of 11°17'38"; from a tangent bearing of
 1791 N 02°12'13" E run Northerly along the arc of said
 1792 curve, 314.96 feet; N 09°05'25" W, 282.87 feet to a
 1793 point of curvature of a curve concave Easterly having
 1794 a radius of 1457.85 feet, and a central angle of
 1795 09°05'25"; run Northerly along the arc of said curve,
 1796 231.30 feet; N 00°00'00" E, 186.09 feet; N 44°56'12"
 1797 E, 42.49 feet to the Point of Beginning, containing
 1798 191.436 Acres, more or less.
 1799
 1800 AND

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1801 A parcel of land lying in Sections 12 and 13, Township
 1802 25 South, Range 27 East and Section 7, Township 25
 1803 South, Range 28 East, Osceola County, Florida, and
 1804 being more particularly described as follows:
 1805
 1806 Commence at the Northwest corner of said Section 7,
 1807 run along the West line of the Northwest 1/4 of said
 1808 Section 7, S 00°16'52" W, 182.00 feet, to a point on
 1809 Southerly right of way line of State Road 530 and a
 1810 point on the boundary of de-annexation Resolution No.
 1811 291 as described in Official Records Book 1235, Page
 1812 1769 of the Public Records of Osceola County, Florida,
 1813 and the Point of Beginning; thence run along said de-
 1814 annexation boundary the following courses; N 89°36'48"
 1815 E, 1370.16 feet to a point on a non-tangent curve
 1816 concave Southerly having a radius of 2774.79 feet, and
 1817 a central angle of 14°35'33"; from a tangent bearing
 1818 of S 87°18'45" E run Easterly along the arc of said
 1819 curve, 706.70 feet; S 72°43'12" E, 120.32 feet; S
 1820 68°43'12" E, 476.40 feet to a point of curvature of a
 1821 curve concave Southwesterly having a radius of 310.00
 1822 feet, and a central angle of 64°11'44"; run
 1823 Southeasterly along the arc of said curve, 347.33
 1824 feet; to a point of compound curvature of a curve
 1825

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1826 concave Westerly having a radius of 710.00 feet, and a
 1827 central angle of 43°41'01"; run Southerly along the
 1828 arc of said curve, 541.32 feet; S 39°09'33" W, 593.50
 1829 feet; S 39°49'53" W, 428.75 feet to a point on a non-
 1830 tangent curve concave Northwesterly having a radius of
 1831 17038.73 feet, and a central angle of 00°07'01"; from
 1832 a tangent bearing of S 39°57'15" W run Southwesterly
 1833 along the arc of said curve, 34.76 feet; to a point of
 1834 compound curvature of a curve concave Northwesterly
 1835 having a radius of 17038.73 feet, and a central angle
 1836 of 00°07'00"; run Southwesterly along the arc of said
 1837 curve, 34.73 feet; to a point of compound curvature of
 1838 a curve concave Northwesterly having a radius of
 1839 17038.73 feet, and a central angle of 05°07'15"; run
 1840 Southwesterly along the arc of said curve, 1522.83
 1841 feet; to a point of reverse curvature of a curve
 1842 concave Southeasterly having a radius of 17338.73
 1843 feet, and a central angle of 07°18'35"; run
 1844 Southwesterly along the arc of said curve, 2212.08
 1845 feet; to a point of compound curvature of a curve
 1846 concave Southeasterly having a radius of 17338.73
 1847 feet, and a central angle of 03°23'57"; run
 1848 Southwesterly along the arc of said curve, 1028.62
 1849 feet; to a point of reverse curvature of a curve
 1850 concave Northwesterly having a radius of 17038.73

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1851 feet, and a central angle of 05°03'27"; run
 1852 Southwesterly along the arc of said curve, 1503.98
 1853 feet; S 44°18'34" W, 2356.77 feet to a point on a
 1854 non-tangent curve concave Northerly having a radius of
 1855 451.67 feet, and a central angle of 120°17'51"; from
 1856 a tangent bearing of S 44°19'15" W run Westerly along
 1857 the arc of said curve, 948.32 feet; to a point of
 1858 compound curvature of a curve concave Easterly having
 1859 a radius of 1767.86 feet, and a central angle of
 1860 30°38'14"; run Northerly along the arc of said curve,
 1861 945.31 feet; N 15°15'17" E, 57.43 feet; N 74°44'43"
 1862 W, 42.00 feet; N 10°06'45" E, 301.24 feet; N
 1863 15°17'20" E, 293.98 feet to a point on a non-tangent
 1864 curve concave Westerly having a radius of 2009.86
 1865 feet, and a central angle of 28°47'54"; from a
 1866 tangent bearing of N 15°18'05" E run Northerly along
 1867 the arc of said curve, 1010.21 feet; N 13°29'49" W,
 1868 750.50 feet to a point of curvature of a curve concave
 1869 Easterly having a radius of 1809.86 feet, and a
 1870 central angle of 30°18'27"; run Northerly along the
 1871 arc of said curve, 957.35 feet; N 46°27'10" E, 105.97
 1872 feet; to a point on a non-tangent curve concave
 1873 Southeasterly having a radius of 1759.86 feet, and a
 1874 central angle of 13°41'33"; from a tangent bearing of
 1875 N 19°48'38" E run Northeasterly along the arc of said

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1876 curve, 420.57 feet; N 33°30'11" E, 1183.50 feet to a
 1877 point of curvature of a curve concave Westerly having
 1878 a radius of 2059.86 feet, and a central angle of
 1879 33°23'10"; run Northerly along the arc of said curve,
 1880 1200.27 feet; N 05°42'05" E, 369.98 feet to a point
 1881 of curvature of a curve concave Southeasterly having a
 1882 radius of 426.87 feet, and a central angle of
 1883 56°29'55"; run Northeasterly along the arc of said
 1884 curve, 420.93 feet; N 62°12'02" E, 1022.85 feet to a
 1885 point of curvature of a curve concave Southerly having
 1886 a radius of 1789.72 feet, and a central angle of
 1887 15°19'53"; run Easterly along the arc of said curve,
 1888 478.90 feet; to a point on a non-tangent curve concave
 1889 Southerly having a radius of 1791.86 feet, and a
 1890 central angle of 03°26'13"; from a tangent bearing of
 1891 N 78°45'37" E run Easterly along the arc of said
 1892 curve, 107.49 feet; to a point of compound curvature
 1893 of a curve concave Southerly having a radius of
 1894 2181.28 feet, and a central angle of 06°37'08"; run
 1895 Easterly along the arc of said curve, 251.98 feet; N
 1896 88°49'08" E, 659.02 feet; N 89°50'46" E, 591.75 feet
 1897 to the Point of Beginning, containing 744.473 acres,
 1898 more or less.
 1899 AND
 1900 AND

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1901
1902 A parcel of land lying in Sections 12, 13, 23 and 24,
1903 Township 25 South, Range 27 East Sections 7, 8, 9, 17
1904 through 20 and 30, Township 25 South, Range 28 East,
1905 Osceola County, Florida, and being more particularly
1906 described as follows:
1907
1908 Commence at the Northwest corner of said Section 9,
1909 run along the West line of the Northwest 1/4 of said
1910 Section 9, S 00°08'49" E, 132.00 feet, to a point on
1911 Southerly right of way line of State Road 530 and a
1912 point on the boundary of de-annexation Resolution No.
1913 291 as described in Official Records Book 1235, Page
1914 1769 of the Public Records of Osceola County, Florida,
1915 and the Point of Beginning; thence run along said de-
1916 annexation boundary the following courses; N 89°47'42"
1917 E, 622.99 feet to a point on a non-tangent curve
1918 concave Northeasterly having a radius of 450.00 feet,
1919 and a central angle of 59°52'20"; from a tangent
1920 bearing of S 00°12'18" E run Southeasterly along the
1921 arc of said curve, 470.24 feet; S 60°04'38" E, 118.30
1922 feet to a point of curvature of a curve concave
1923 Southwesterly having a radius of 150.00 feet, and a
1924 central angle of 60°00'00"; run Southeasterly along
1925 the arc of said curve, 157.08 feet; N 89°55'21" E,

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1926 40.00 feet; S 00°04'25" E, 2369.91 feet; N 89°56'33"
1927 E, 50.00 feet; S 00°03'27" E, 512.31 feet; S
1928 00°03'27" E, 358.24 feet; S 47°23'03" W, 1794.78
1929 feet; N 75°57'54" W, 2061.55 feet; S 53°52'46" W,
1930 4747.05 feet; S 13°19'33" E, 1235.00 feet; S
1931 57°29'14" E, 837.20 feet; S 26°03'58" E, 3172.66
1932 feet; S 45°00'05" E, 707.11 feet; S 09°55'30" W,
1933 2030.39 feet; N 65°37'30" W, 1163.91 feet; N
1934 44°47'06" W, 1831.04 feet; S 48°53'12" W, 715.92
1935 feet; N 65°37'30" W, 341.01 feet; N 26°33'59" W,
1936 2124.26 feet; S 68°44'53" W, 965.66 feet; S
1937 16°54'23" E, 5330.34 feet; S 50°31'34" W, 1101.14
1938 feet; N 41°38'06" W, 4214.56 feet; N 18°02'08" W,
1939 2261.08 feet; S 89°59'55" W, 1650.00 feet; S
1940 00°00'05" E, 1224.24 feet; S 35°39'14" W, 1200.88
1941 feet; S 89°59'55" W, 1800.00 feet; N 34°46'45" W,
1942 1157.70 feet; N 27°43'20" W, 492.90 feet; N
1943 01°09'30" W, 124.30 feet; N 50°54'37" W, 282.74 feet;
1944 S 59°21'14" W, 36.00 feet; N 38°52'34" W, 156.01
1945 feet; N 39°57'15" E, 502.67 feet; N 43°58'16" E,
1946 1918.88 feet to a point of curvature of a curve
1947 concave Southerly having a radius of 622.20 feet, and
1948 a central angle of 73°46'51"; run Easterly along the
1949 arc of said curve, 801.22 feet; to a point of compound
1950 curvature of a curve concave Southwesterly having a

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1951 radius of 2405.91 feet, and a central angle of
 1952 15°39'49"; run Southeasterly along the arc of said
 1953 curve, 657.74 feet; to a point on a non-tangent curve
 1954 concave Southwesterly having a radius of 3677.60 feet,
 1955 and a central angle of 09°13'43"; from a tangent
 1956 bearing of S 46°35'06" E run Southeasterly along the
 1957 arc of said curve, 592.35 feet; S 37°21'28" E, 61.64
 1958 feet; N 52°38'37" E, 295.00 feet; N 37°21'24" W,
 1959 236.29 feet; N 33°58'59" W, 295.13 feet to a point of
 1960 curvature of a curve concave Easterly having a radius
 1961 of 724.53 feet, and a central angle of 32°07'27"; run
 1962 Northerly along the arc of said curve, 406.22 feet; N
 1963 01°51'30" W, 914.66 feet to a point of curvature of a
 1964 curve concave Easterly having a radius of 1433.91
 1965 feet, and a central angle of 30°54'26"; run Northerly
 1966 along the arc of said curve, 773.50 feet; N 31°08'21"
 1967 E, 714.41 feet; N 32°17'07" E, 68.88 feet to a point
 1968 of curvature of a curve concave Southeasterly having a
 1969 radius of 4489.66 feet, and a central angle of
 1970 06°27'44"; run Northeasterly along the arc of said
 1971 curve, 506.37 feet; N 38°44'50" E, 91.15 feet; N
 1972 51°13'07" W, 15.63 feet; N 39°57'15" E, 399.78 feet
 1973 to a point of curvature of a curve concave
 1974 Southeasterly having a radius of 17028.73 feet, and a
 1975 central angle of 05°21'16"; run Northeasterly along

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1976 the arc of said curve, 1591.38 feet; to a point of
 1977 reverse curvature of a curve concave Northwesterly
 1978 having a radius of 17348.73 feet, and a central angle
 1979 of 00°22'04"; run Northeasterly along the arc of said
 1980 curve, 111.39 feet; N 45°03'33" W, 10.00 feet to a
 1981 point on a non-tangent curve concave Northwesterly
 1982 having a radius of 17341.08 feet, and a central angle
 1983 of 04°36'46"; from a tangent bearing of N 44°56'25" E
 1984 run Northeasterly along the arc of said curve, 1396.13
 1985 feet; to a point of compound curvature of a curve
 1986 concave Northwesterly having a radius of 17338.73
 1987 feet, and a central angle of 05°43'39"; run
 1988 Northeasterly along the arc of said curve, 1733.24
 1989 feet; to a point of reverse curvature of a curve
 1990 concave Southeasterly having a radius of 17038.73
 1991 feet, and a central angle of 05°21'16"; run
 1992 Northeasterly along the arc of said curve, 1592.32
 1993 feet; N 39°57'15" E, 942.63 feet; N 44°36'59" E,
 1994 348.99 feet to a point on a non-tangent curve concave
 1995 Southeasterly having a radius of 1342.44 feet, and a
 1996 central angle of 24°30'00"; from a tangent bearing of
 1997 N 44°44'08" E run Northeasterly along the arc of said
 1998 curve, 574.04 feet; N 69°14'08" E, 1832.61 feet; S
 1999 47°43'15" E, 1148.63 feet; S 37°11'45" E, 2082.95
 2000 feet; N 52°48'15" E, 150.00 feet; N 37°11'45" W,

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2001 2096.77 feet; N 47°43'15" W, 1086.16 feet; N
 2002 69°14'08" E, 104.92 feet to a point of curvature of a
 2003 curve concave Southerly having a radius of 1342.40
 2004 feet, and a central angle of 19°21'25"; run Easterly
 2005 along the arc of said curve, 453.52 feet; N 88°35'33"
 2006 E, 600.08 feet; N 83°15'36" E, 300.22 feet; thence N
 2007 89°45'45" E, 3676.81 feet to the Point of Beginning,
 2008 containing 2908.288 acres, more or less.

2009
 2010 AND

2011
 2012 A parcel of land lying in Sections 23 through 26,
 2013 Township 25 South, Range 27 East and Section 30,
 2014 Township 25 South, Range 28 East, Osceola County,
 2015 Florida, and being more particularly described as
 2016 follows:

2017
 2018 Commence at the Southeast corner of said Section 26,
 2019 run along the East line of the Southeast 1/4 of said
 2020 Section 26, N 00°04'03" W, 120.00 feet, to a point on
 2021 the boundary of de-annexation Resolution No. 291 as
 2022 described in Official Records Book 1235, Page 1769 of
 2023 the Public Records of Osceola County, Florida, and the
 2024 Point of Beginning; thence run along said de-
 2025 annexation boundary the following courses; S 89°49'18"

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2026 W, 678.98 feet; S 89°56'16" W, 41.46 feet; S 89°50'14"
 2027 W, 486.92 feet; N 00°08'08" W, 333.91 feet; N
 2028 00°07'57" W, 177.25 feet; N 00°01'07" W, 178.96 feet;
 2029 N 00°03'44" W, 631.66 feet; S 89°52'13" W, 494.06
 2030 feet; S 89°55'05" W, 828.90 feet; N 90°00'00" W, 5.12
 2031 feet; N 00°08'06" W, 251.46 feet; N 00°08'09" W,
 2032 394.13 feet N 00°08'11" W, 655.92 feet; N 00°13'25" W,
 2033 23.67 feet; S 89°55'00" W, 128.49 feet; N 89°31'49" W,
 2034 397.18 feet; N 89°31'34" W, 122.10 feet; N 89°32'10"
 2035 W, 47.99 feet; N 89°31'47" W, 361.14 feet; N 89°31'38"
 2036 W, 68.77 feet; N 89°32'02" W, 98.33 feet; N 89°31'40"
 2037 W, 203.89 feet; N 09°35'39" W, 23.58 feet; N 34°30'31"
 2038 E, 3.49 feet; N 89°39'50" W, 46.97 feet; S 89°55'09"
 2039 W, 105.90 feet; N 00°00'26" W, 1997.80 feet; N
 2040 39°37'22" E, 1530.02 feet; N 39°37'22" E, 3105.08
 2041 feet; S 25°35'45" E, 1405.42 feet; S 48°02'51" W,
 2042 2129.92 feet; S 27°09'04" E, 2191.46 feet; N 89°59'55"
 2043 E, 429.40 feet; N 42°34'45" E, 61.38 feet; N 77°28'31"
 2044 E, 6.16 feet; S 80°50'28" E, 42.95 feet; S 76°40'19"
 2045 E, 50.95 feet; N 78°08'48" E, 34.33 feet; S 30°04'17"
 2046 E, 4.22 feet; S 76°06'37" E, 130.56 feet; N 89°59'55"
 2047 E, 618.64 feet; N 00°00'05" W, 1750.00 feet; S
 2048 85°45'54" E, 2707.40 feet; S 38°39'40" E, 320.15 feet;
 2049 S 01°48'36" E, 382.26 feet; S 54°54'10" W, 2031.38
 2050 feet; S 34°49'33" E, 1400.89 feet; N 66°34'12" E,

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2051 2012.03 feet; N 89°59'55" E, 1596.15 feet; S 41°29'52"
 2052 E, 1068.10 feet; S 16°30'11" W, 1408.01 feet; S
 2053 60°01'01" W, 808.14 feet; N 44°46'55" W, 709.83 feet;
 2054 N 00°00'05" W, 700.00 feet; S 89°59'55" W, 1100.00
 2055 feet; S 15°22'30" W, 829.70 feet; S 89°59'55" W,
 2056 620.00 feet; S 00°00'05" E, 250.00 feet; N 89°45'12"
 2057 E, 331.16 feet; N 22°25'57" E, 47.85 feet; N 32°49'38"
 2058 W, 99.62 feet; N 06°38'41" W, 20.86 feet; N 67°06'55"
 2059 E, 58.35 feet; N 80°46'35" E, 124.29 feet; N 59°15'21"
 2060 E, 74.38 feet; N 76°39'34" E, 72.66 feet; S 59°47'48"
 2061 E, 57.26 feet; S 54°56'34" E, 123.34 feet; S 58°10'29"
 2062 E, 79.63 feet; S 30°10'31" E, 44.20 feet; S 06°24'36"
 2063 E, 107.82 feet; S 11°28'54" W, 73.24 feet; S 17°38'04"
 2064 W, 10.26 feet; S 67°56'29" E, 225.59 feet; N 45°25'09"
 2065 E, 16.32 feet; S 61°51'19" E, 58.22 feet; S 30°56'12"
 2066 E, 14.64 feet; S 67°56'29" E, 748.10 feet; S 89°54'33"
 2067 W, 2032.92 feet; S 89°51'55" W, 2644.56 feet; S
 2068 00°04'03" E, 79.89 feet to the Point of Beginning,
 2069 containing 829.136 acres, more or less.
 2070
 2071 Containing in aggregate 6127.098 acres more or less in
 2072 Osceola County Florida.
 2073
 2074 Section 2. Applicability of certain provisions of chapter
 2075 298, Florida Statutes.—Chapter 298, Florida Statutes, and all

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2076 amendments thereto, now existing or hereafter enacted, are
 2077 applicable to the Central Florida Tourism Oversight District
 2078 insofar as they are not inconsistent with the provisions of this
 2079 act or any subsequent special acts relating to the Central
 2080 Florida Tourism Oversight District. Except as otherwise provided
 2081 in this act, the Central Florida Tourism Oversight District
 2082 shall have all of the powers and authorities provided by chapter
 2083 298, Florida Statutes, and acts amendatory thereof.
 2084 Notwithstanding the foregoing, the provisions of ss. 298.11,
 2085 298.12, 298.14, 298.15, 298.17, 298.18, 298.20, 298.23, 298.24,
 2086 298.25, 298.41, 298.48, 298.52, 298.56, 298.57, 298.61, 298.70,
 2087 298.71, 298.72, 298.73, and 298.74, Florida Statutes, and
 2088 amendments thereto, do not apply to the Central Florida Tourism
 2089 Oversight District.
 2090 Section 3. Definitions.—Unless the context indicates
 2091 otherwise, the following words as used in this act shall have
 2092 the following meanings:
 2093 (1) "Assessable improvements" includes, without
 2094 limitation, any and all drainage and land reclamation works and
 2095 facilities, sewer systems, storm sewers and drains, water
 2096 systems, reclaimed water systems, streets, roads, or other
 2097 infrastructure projects of the district, or that portion or
 2098 portions thereof, local in nature and of special benefit to the
 2099 premises or lands served thereby, and any and all modifications,
 2100 improvements, and enlargements thereof.

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2101 (2) "Board of supervisors" or "board" means the Board of
 2102 Supervisors of the Central Florida Tourism Oversight District.
 2103 (3) "Bond" includes "certificate," and provisions
 2104 applicable to bonds shall be equally applicable to certificates.
 2105 "Bond" includes general obligation bonds, assessment bonds,
 2106 refunding bonds, excise tax bonds, revenue bonds, and such other
 2107 obligations in the nature of bonds as are provided for in this
 2108 act.
 2109 (4) "Cost," when used with reference to any project,
 2110 includes, but is not limited to, the expenses of determining the
 2111 feasibility or practicability of acquisition, construction, or
 2112 reconstruction; the cost of surveys, estimates, plans, and
 2113 specifications; the cost of acquisition, construction, or
 2114 reconstruction; the cost of improvements; engineering, fiscal,
 2115 and legal expenses and charges; the cost of all labor,
 2116 materials, machinery, and equipment; the cost of all lands,
 2117 properties, rights, easements, and franchises acquired; federal,
 2118 state, and local taxes and assessments; financing charges; the
 2119 creation of initial reserve and debt service funds; working
 2120 capital; interest charges incurred or estimated to be incurred
 2121 on money borrowed prior to and during construction and
 2122 acquisition and for such period of time after completion of
 2123 construction or acquisition as the board of supervisors may
 2124 determine; the cost of issuance of bonds pursuant to this act,
 2125 including advertisements and printing; the cost of any election

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2126 held pursuant to this act and all other expenses of issuance of
 2127 bonds; discount, if any, on the sale or exchange of bonds;
 2128 administrative expenses; such other expenses as may be necessary
 2129 or incidental to the acquisition, construction, or
 2130 reconstruction of any project or to the financing thereof, or
 2131 the development of any lands within the district; and
 2132 reimbursement of any public or private body, person, firm, or
 2133 corporation for any moneys advanced in connection with any of
 2134 the foregoing items of cost. Any obligation or expense incurred
 2135 prior to the issuance of bonds in connection with the
 2136 acquisition, construction, or reconstruction of any project or
 2137 improvements thereon, or in connection with any other
 2138 development of land that the board of supervisors determines to
 2139 be necessary, or that is otherwise authorized by general law or
 2140 this act, in carrying out the purposes of this act, may be
 2141 treated as a part of such cost.
 2142 (5) "District" means the Central Florida Tourism Oversight
 2143 District.
 2144 (6) "Parking facilities" means lots, garages, parking
 2145 terminals, and other structures (either single-level or
 2146 multilevel and either at, above, or below the surface) for the
 2147 off-street parking of motor vehicles, open to public use with or
 2148 without a fee, including, but without limiting the generality of
 2149 the foregoing, facilities for trucks and buses, waiting rooms,
 2150 lockers, and, if deemed necessary by the board of supervisors,

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2151 or otherwise authorized by general law or this act, space to be
 2152 leased for such uses as the board deems advisable, and all
 2153 facilities appurtenant thereto, including on-street parking
 2154 meters, and all property rights, easements, and interests
 2155 relating thereto which the board deems necessary, or that are
 2156 otherwise authorized by general law or this act, for the
 2157 construction or operation thereof.

2158 (7) "Plat" means a map or drawing depicting the division
 2159 of lands into lots, blocks, parcels, tracts, sites, or other
 2160 divisions, however the same may be designated.

2161 (8) "Project" means any development, improvement,
 2162 property, utility, facility, works, road, sidewalk, enterprise,
 2163 service, or convenience, including, without limitation, public
 2164 transportation facilities and devices and telephone and other
 2165 communication facilities and services, now existing or hereafter
 2166 undertaken or established, that under the provisions of this act
 2167 or under chapter 298, Florida Statutes, the district is
 2168 authorized to construct, acquire, undertake, or furnish for its
 2169 own use or for the use of any other person, firm, or
 2170 corporation, owning, leasing, or otherwise using the same, for
 2171 any profit or nonprofit purpose or activity, and shall include,
 2172 without limitation, such repairs, replacements, additions,
 2173 extensions, and betterments of and to any project as may be
 2174 deemed necessary by the board of supervisors to place or to
 2175 maintain such project in proper condition for the safe,

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2176 efficient, and economic operation thereof.

2177 (9) "Sewer system" means any plant, system, facility, or
 2178 property and additions, extensions, and improvements thereto at
 2179 any future time constructed or acquired as part thereof, useful
 2180 or necessary or having the present capacity for future use in
 2181 connection with the collection, treatment, purification, or
 2182 disposal of sewage, including, without limitation, industrial
 2183 wastes resulting from any processes of industry, manufacture,
 2184 trade, or business or from the development of any natural
 2185 resources; and, without limiting the generality of the
 2186 foregoing, shall include treatment plants, pumping stations,
 2187 lift stations, valves, force mains, intercepting sewers,
 2188 laterals, pressure lines, mains, and all necessary appurtenances
 2189 and equipment, all sewer mains, laterals, and other devices for
 2190 the reception and collection of sewage from premises connected
 2191 therewith, and all real and personal property and any interest
 2192 therein, rights, easements, and franchises of any nature
 2193 whatsoever relating to any such system and necessary or
 2194 convenient for the operation thereof.

2195 (10) "Subdivision" means the division of a parcel of land,
 2196 whether improved or unimproved, into two or more lots or parcels
 2197 of land for the purpose, whether immediate or future, of
 2198 transfer of ownership or building development where the
 2199 subdivider advocates, proposes, suggests, or exhibits a proposed
 2200 plan, map, or plat of development of the land or where the

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2201 subdivider proposes to create a street, right-of-way, or
 2202 easement that joins or connects to an existing public street for
 2203 ingress and egress or an existing easement, or to change an
 2204 existing public street or easement.

2205 (11) "Waste collection and disposal system" means all the
 2206 facilities of the district for the collection and disposal of
 2207 garbage and other waste matter, except sewage but including
 2208 liquid waste material from septic tank and grease trap systems,
 2209 together with digested sludge from sewage treatment plants, and
 2210 shall include all such facilities, including incinerators,
 2211 composting plants, or other means of disposal constructed or
 2212 acquired pursuant to the provisions of this act, or hereafter
 2213 constructed or acquired by the district from any other source
 2214 whatsoever.

2215 (12) "Water and flood control facilities" means any
 2216 canals, ditches, or other drainage facilities, reservoirs,
 2217 lakes, ponds, dams, levees, sluiceways, dredging holding basins,
 2218 floodways, pumping stations, or any other works, structures, or
 2219 facilities for the conservation, control, development,
 2220 utilization, and disposal of water, and any purposes
 2221 appurtenant, necessary, or incidental thereto, and includes all
 2222 real and personal property and any interest therein, rights,
 2223 easements, and franchises of any nature relating to any such
 2224 water and flood control facilities or necessary or convenient
 2225 for the acquisition, construction, reconstruction, operation, or

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2226 maintenance thereof.

2227 (13) "Water system" means any plant, system, facility, or
 2228 property and additions, extensions, and improvements thereto at
 2229 any future time constructed or acquired as part thereof, useful
 2230 or necessary or having the present capacity for future use in
 2231 connection with the development of sources, treatment, or
 2232 purification and distribution of water for domestic or
 2233 industrial use and, without limiting the generality of the
 2234 foregoing, includes dams, reservoirs, lakes, ponds, storage
 2235 tanks, mains, lines, valves, pumping stations, laterals, and
 2236 pipes for the purpose of carrying water to the premises
 2237 connected with such system, and all real and personal property
 2238 and any interests therein, rights, easements, and franchises of
 2239 any nature whatsoever relating to any such system and necessary
 2240 for the operation thereof.

2241 Section 4. Board of supervisors; appointments;
 2242 organization; term of office; quorum; annual meetings, report,
 2243 and minutes.—

2244 (1) The Board of Supervisors of the Central Florida
 2245 Tourism Oversight District shall be the governing body of the
 2246 district, shall have controlling authority over the district,
 2247 and shall exercise the powers granted to the district under this
 2248 act and under chapters 189 and 298, Florida Statutes. The board
 2249 of supervisors shall consist of five members appointed by the
 2250 Governor and confirmed by the Senate, with one member designated

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2251 as chair of the board of supervisors and one member designated
 2252 as vice chair. Each member shall hold office for a term of 4
 2253 years and until a successor is chosen and qualified, except that
 2254 for the initial appointments made after the effective date of
 2255 this act, two members shall be appointed to serve a term of 2
 2256 years. Furthermore, each member initially appointed to the board
 2257 of supervisors must replace the board member who has been
 2258 serving on the board for the greatest amount of time to date.
 2259 Members may not serve more than three consecutive terms.
 2260 (2) For appointments made pursuant to this act:
 2261 (a) All members shall be Florida residents.
 2262 (b) Consideration should be given for members from a broad
 2263 range of fields including, but not limited to, experience in
 2264 accounting, business management, construction, cybersecurity or
 2265 data privacy, engineering, environmental sciences, financial
 2266 management, infrastructure management, land use, permitting,
 2267 public administration, public safety, transportation, or utility
 2268 operations and management.
 2269 (c) The following persons are ineligible to serve on the
 2270 board:
 2271 1. Any person who, within the past 3 years, has been an
 2272 officer, owner, director, employee, agent, contractor, or
 2273 subcontractor of, or has had a contractual relationship with a
 2274 business entity that owns or operates a theme park or
 2275 entertainment complex as defined in s. 509.013(9), Florida

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2276 Statutes, or a parent company, subsidiary, or sibling
 2277 organization under common ownership or control with a business
 2278 entity that owns or operates a theme park or entertainment
 2279 complex.
 2280 2. Any relative as defined in s. 112.3143, Florida
 2281 Statutes, of a person ineligible under subparagraph 1.
 2282 (3) Following appointment, if a member becomes ineligible
 2283 to serve on the board under paragraph (2)(c), a vacancy in
 2284 office shall occur and the Governor shall file an executive
 2285 order pursuant to s. 114.01, Florida Statutes.
 2286 (4) Any vacancy that occurs on the board of supervisors
 2287 shall be filled in the same manner as the original appointment
 2288 for the unexpired term of that seat.
 2289 (5)(a) All meetings of the board of supervisors shall be
 2290 open, and reasonable notice shall be provided to the public, as
 2291 required by law.
 2292 (b) The board of supervisors shall meet at least once per
 2293 month to conduct all necessary business of the district and may
 2294 conduct additional meetings, including emergency meetings, as
 2295 necessary.
 2296 (c) A majority of the members of the board of supervisors
 2297 shall constitute a quorum.
 2298 (d) The board of supervisors may adopt and enforce
 2299 reasonable rules governing the conduct of its members provided
 2300 that no board member may be suspended or removed from office

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2301 except as provided in s. 112.511, Florida Statutes.

2302 (e) The board of supervisors may adopt and enforce

2303 reasonable rules governing the procedures, order of business,

2304 and rules of decorum for its meetings.

2305 (6) The board of supervisors shall, by at least three

2306 affirmative votes, appoint and may, at any time, remove:

2307 (a) A clerk of the board. The clerk may be a district

2308 employee or an independent contractor. The clerk is responsible

2309 for taking and preserving for the public record minutes of all

2310 board meetings and performing other duties as may be assigned by

2311 the board.

2312 (b) A district administrator. The district administrator

2313 must be a district employee but may be an independent contractor

2314 on an interim basis. The district administrator is the chief

2315 executive officer of the district and is in charge of the day-

2316 to-day operations of the district subject to the board of

2317 supervisor's direction and policy decisions. The district

2318 administrator has such functions, duties, and powers as the

2319 board of supervisors may prescribe and performs any other duties

2320 as may be assigned by the board.

2321 (c) A general counsel to the district. The general counsel

2322 must be a Florida licensed attorney having experience

2323 representing government entities. The district may contract with

2324 a law firm to provide general counsel services and other legal

2325 services to the district.

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2326 (7) The board of supervisors shall keep a permanent record

2327 book entitled "Record of Governing Board of Central Florida

2328 Tourism Oversight District," in which shall be recorded minutes

2329 of all meetings, resolutions, proceedings, certificates, bonds

2330 given by all employees, and any and all corporate acts, which

2331 book shall be open to public inspection as required by law. Such

2332 record book shall be kept at an office or other regular place of

2333 business maintained by the board of supervisors in Orange County

2334 or Osceola County.

2335 (8)(a) The board of supervisors shall submit an annual

2336 report to the Department of Financial Services pursuant to s.

2337 218.32, Florida Statutes, with a copy to the Governor, the

2338 President of the Senate, and the Speaker of the House of

2339 Representatives.

2340 (b) Notwithstanding s. 189.08(9), Florida Statutes, the

2341 board of supervisors shall submit a public facilities report and

2342 related annual notices required by s. 189.08, Florida Statutes,

2343 to the Governor, the President of the Senate, and the Speaker of

2344 the House of Representatives.

2345 (c) The district shall maintain a website with the

2346 information required by s. 189.069, Florida Statutes.

2347 (d) The board of supervisors shall submit to the Governor,

2348 the President of the Senate, and the Speaker of the House of

2349 Representatives, within 1 year after the effective date of this

2350 act, and every 5 years thereafter, a report that includes a

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2351 review of all remaining powers and authorities included herein
 2352 and any recommendations for consideration of eliminating said
 2353 powers and authorities for potential repeal by the Legislature.

2354 Section 5. Compensation of board.—Each supervisor shall
 2355 serve without compensation but may be reimbursed for per diem
 2356 and travel expenses as provided in s. 112.061, Florida Statutes,
 2357 for attending meetings of the board of supervisors or performing
 2358 official duties pertaining to the district.

2359 Section 6. Treasurer; depositories; fiscal agent.—

2360 (1) The board of supervisors shall designate a person who
 2361 is a resident of the State of Florida, or a bank or trust
 2362 company organized under the laws of the State of Florida, as
 2363 treasurer of the district, who shall have charge of the funds of
 2364 the district. Such funds shall be disbursed only upon the order
 2365 of or pursuant to the resolution of the board of supervisors by
 2366 warrant or check signed by the treasurer, or by such other
 2367 person as may be authorized by the board. The treasurer shall
 2368 perform such other or additional powers and duties and receive
 2369 such compensation as the board of supervisors deems appropriate.
 2370 The board of supervisors may require the treasurer to give a
 2371 bond in such amount, on such terms, and with such sureties as
 2372 may be deemed satisfactory to the board to secure the
 2373 performance by the treasurer of the delegated powers and duties.
 2374 The board of supervisors shall audit or have audited the books
 2375 of the treasurer at least once a year.

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2376 (2) The board of supervisors is authorized to select as
 2377 depositories in which the funds of the board and of the district
 2378 shall be deposited any banking corporation organized under the
 2379 laws of the State of Florida or under the national banking act,
 2380 doing business in the State of Florida, upon such terms and
 2381 conditions as to the payment of interest by such depository upon
 2382 the funds so deposited as the board deems just and reasonable.

2383 (3) The State Chief Financial Officer may from time to
 2384 time adopt, revise, and rescind rules and regulations
 2385 prescribing the qualifications of depositories of funds of the
 2386 district and establishing requirements for security to be given
 2387 by depositories with respect to such funds. In the absence of
 2388 any such rules and regulations issued by the State Chief
 2389 Financial Officer, the board of supervisors may prescribe the
 2390 qualifications of depositories and the requirements for security
 2391 to be given by depositories.

2392 (4) The board of supervisors may employ a fiscal agent,
 2393 who shall be either a resident of the State of Florida or a
 2394 corporation organized under the laws of this or any other state
 2395 and authorized by such laws to act as such fiscal agent for
 2396 municipal corporations in the State of Florida and who shall
 2397 assist in the keeping of the books of account, the receiving of
 2398 tax revenues, and the remitting of funds to pay maturing bonds
 2399 and coupons, and perform such other or additional services and
 2400 duties as fiscal agent and receive such compensation as the

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2401 board may determine.

2402 Section 7. Powers and duties of board of supervisors.-
 2403 Except as otherwise provided in this act, all of the powers and
 2404 duties of the district shall be exercised by and through the
 2405 board of supervisors. Without limiting the generality of the
 2406 foregoing, the district, by and through the board of
 2407 supervisors, shall have the power and authority to:

2408 (1) Employ engineers, contractors, consultants, attorneys,
 2409 auditors, agents, employees, and representatives as the board
 2410 may from time to time determine, on such terms and conditions as
 2411 the board may approve, and fix their compensation and duties.
 2412 The board of supervisors may delegate to the district
 2413 administrator employee hiring and termination decisions and
 2414 certain procurement decisions for retaining professional
 2415 services and other consultants and contractors.

2416 (2) Adopt bylaws, rules, resolutions, and orders
 2417 prescribing the powers, duties, and functions of the officers of
 2418 the district, the conduct of the business of the district, the
 2419 maintenance of records, and the form of certificates evidencing
 2420 tax liens and all other documents and records of the district.
 2421 The board of supervisors may adopt administrative rules and
 2422 regulations with respect to any of the projects of the district,
 2423 on proper notice and public hearing. Any resolution authorized
 2424 by this act must be adopted at a public meeting of the board of
 2425 supervisors after reading of the resolution or its title.

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2426 Reasonable notice of the public meeting must be provided at
 2427 least 10 days before the public meeting and must indicate the
 2428 board's intent to consider such resolution. Unless the board
 2429 provides otherwise, only one reading at one public meeting for
 2430 adoption is required. Any resolution adopted in accordance with
 2431 the requirements of this act shall be effective for all
 2432 statutory purposes where adoption of a resolution is required.

2433 (3) Maintain an office at such place or places as it may
 2434 designate within the district's boundaries.

2435 (4) Enter or direct the entry upon any lands, premises,
 2436 waters, or other property subject to the requirements of due
 2437 process as to privately owned property.

2438 (5) Execute all contracts and other documents, adopt all
 2439 proceedings, and perform all acts determined by the board to be
 2440 necessary or that are otherwise authorized by general law or
 2441 this act. The board of supervisors may authorize one or more
 2442 members of the board to execute contracts and other documents on
 2443 behalf of the board or the district.

2444 (6) Establish and create such departments, boards,
 2445 committees, or other entities as from time to time the board
 2446 deems necessary, or that are otherwise authorized by general law
 2447 or this act, in the performance of any acts or other things
 2448 necessary to the exercise of the powers provided in this act,
 2449 and to delegate to such departments, boards, committees, or
 2450 other entities such administrative duties and other powers as

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2451 the board deems necessary or that are otherwise authorized by
 2452 general law or this act.

2453 (7) Examine, and authorize any officer or agent of the
 2454 district to examine, the county tax rolls with respect to the
 2455 assessed valuation of the real and personal property within the
 2456 district.

2457 (8) Adopt and enforce policies governing the solicitation
 2458 and award of contracts entered into by the district.

2459 (9) Adopt and enforce employment and personnel policies
 2460 governing employees.

2461 (10) Purchase and maintain insurance policies for the
 2462 protection of the district and the district's projects,
 2463 properties, officers, employees, and agents performing work on
 2464 behalf of the district.

2465 (11) Provide for the indemnification and defense of board
 2466 members and district officers, employees, and agents pursuant to
 2467 ss. 111.07 and 111.071, Florida Statutes, or otherwise in
 2468 accordance with law.

2469 Section 8. Powers of district.—In addition to and not in
 2470 limitation of the powers and authorities of the district under
 2471 chapter 298, Florida Statutes, and amendments thereto, the
 2472 district shall have the following powers:

2473 (1) Legal proceedings.—To sue and be sued by its name in
 2474 any court of law or in equity.

2475 (2) Corporate seal.—To adopt and use a corporate seal and

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2476 to alter the same at the district's pleasure.

2477 (3) Ownership and disposition of property.—To acquire
 2478 property, real, personal, or mixed, within its territorial
 2479 limits, in fee simple or any lesser interest or estate, by
 2480 purchase, gift, devise, lease, exchange, or otherwise on such
 2481 terms and conditions as the board of supervisors deems necessary
 2482 or that are otherwise authorized by general law or this act, and
 2483 by eminent domain, subject to the limitations of subsection (5),
 2484 all provided that the board determines that the use or ownership
 2485 of such property is necessary in the furtherance of a designated
 2486 lawful purpose authorized under the provisions of this act or
 2487 chapter 298, Florida Statutes, and amendments thereto; to
 2488 acquire mineral rights and leases; to acquire title to submerged
 2489 lands and riparian rights and easements or rights-of-way with or
 2490 without restrictions within the limits of the district; to
 2491 accept the dedication of streets and other rights-of-way,
 2492 easements, and other interests on such terms and conditions as
 2493 the board may approve; to make purchase money mortgages and deed
 2494 trusts and other forms of encumbrance on any property acquired
 2495 by the district and to purchase property subject to purchase
 2496 money mortgages, or other encumbrances; and to mortgage, hold,
 2497 manage, control, convey, lease, sell, grant, or otherwise
 2498 dispose of the same, and of any of the assets and properties of
 2499 the district, with or without consideration.

2500 (4) Lease of facilities.—Whenever deemed necessary by the

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2501 board of supervisors, or as otherwise authorized by general law
 2502 or this act, to lease as lessor or lessee to or from any person,
 2503 firm, corporation, association, or body, public or private, any
 2504 projects of the type that the district is authorized to
 2505 undertake and facilities or property of any nature for the use
 2506 of the district and to carry out any of the purposes of the
 2507 district, subject to the limitations of section 20.

2508 (5) Eminent domain.—To exercise within the territorial
 2509 limits of the district the right and power of eminent domain in
 2510 all cases and under all circumstances provided for in ss. 298.22
 2511 and 298.62, Florida Statutes, and amendments thereto. In
 2512 addition to and not in limitation of the foregoing, the district
 2513 may also exercise the right and power of eminent domain within
 2514 the territorial limits of the district for the purpose of
 2515 condemning any real, personal, or mixed property, public or
 2516 private, including property owned by the City of Bay Lake or the
 2517 City of Lake Buena Vista, which the board of supervisors deems
 2518 necessary for the use, construction, or operation of any of the
 2519 projects of the district or otherwise to carry out any of the
 2520 purposes of the district. The power of eminent domain shall be
 2521 exercised as provided by general law. No county, municipality,
 2522 school district, or special district shall exercise the power of
 2523 eminent domain with respect to any of the properties, easements,
 2524 or rights owned by the district and lying within the district
 2525 except with the express consent of the board of supervisors.

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2526 (6) Reclamation; drainage; irrigation.—To adopt and amend
 2527 a plan of reclamation, and to own, acquire, construct,
 2528 reconstruct, equip, operate, maintain, extend, and improve
 2529 canals, ditches, ponds, lakes, reservoirs, drains, dikes,
 2530 levees, pumps, plants, and pumping systems and other works for
 2531 drainage purposes, and irrigation works, machinery, and plants.
 2532 The district shall publish its plan within 30 days after any
 2533 adoption or amendment of such plan.

2534 (7) Water and flood control; erosion control; eligibility
 2535 for state assistance.—To own, acquire, construct, reconstruct,
 2536 equip, maintain, operate, extend, and improve water and flood
 2537 control facilities; to regulate the supply and level of water
 2538 within the district; to divert waters from one area, lake, pond,
 2539 river, stream, basin, or drainage or water flood control
 2540 facility to any other area, lake, pond, river, stream, basin, or
 2541 drainage or water flood control facility; to regulate, control,
 2542 and restrict the development and use of natural or artificial
 2543 streams or bodies of water, lakes, or ponds; and to take all
 2544 measures determined by the board of supervisors to be necessary,
 2545 or that are otherwise authorized by general law or this act, to
 2546 prevent or alleviate land erosion. Subject to the limitations of
 2547 section 6 of this act, the powers granted to the district by
 2548 this subsection shall be exclusive within the area of the
 2549 district of the exercise of the same or like powers by any other
 2550 political subdivision of the state, and no other political

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2551 subdivision of the state shall within the area of the district
 2552 exercise the same or like powers as are granted to the district
 2553 under this subsection except upon the concurrence of the board
 2554 of supervisors. The foregoing does not limit the state and its
 2555 agencies from exercising state authority over the district. The
 2556 Legislature finds and declares the district eligible to receive
 2557 moneys, disbursements, and assistance from the state available
 2558 to flood control or water management districts and navigation
 2559 districts or agencies.

2560 (8) Water and sewer systems.—To own, acquire, construct,
 2561 reconstruct, equip, operate, maintain, extend, and improve water
 2562 systems, reclaimed water systems, and sewer systems or combined
 2563 water, reclaimed water, and sewer systems; to regulate the use
 2564 of sewers and the supply of potable water and nonpotable water
 2565 within the district; to prohibit or regulate the use and
 2566 maintenance of outhouses, privies, septic tanks, or other
 2567 sanitary structures or appliances within the district; to
 2568 prescribe methods of pretreatment of wastes not amenable to
 2569 treatment with domestic sewage before accepting such wastes for
 2570 treatment and to refuse to accept such wastes when not
 2571 sufficiently pretreated as may be prescribed, and to prescribe
 2572 penalties for the refusal of any person or corporation to so
 2573 pretreat such wastes; to sell or otherwise dispose of the
 2574 effluent, sludge, or other byproducts as a result of sewage
 2575 treatment; and to construct and operate connecting,

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2576 intercepting, or outlet sewers and sewer mains and pipes and
 2577 water mains, conduits, or pipelines in, along, through, across,
 2578 on, or under any street, alley, highway, or other public place
 2579 or way within the district, when deemed necessary by the board
 2580 of supervisors or as otherwise authorized by general law or this
 2581 act.

2582 (9) Waste collection and disposal.—To own, acquire,
 2583 construct, reconstruct, equip, operate, maintain, extend, and
 2584 improve a waste collection and disposal system, and to sort,
 2585 sell, or otherwise dispose of any recyclable materials,
 2586 effluent, residue, or other byproducts of such system.

2587 (10) Mosquito and pest control; eligibility for state
 2588 aid.—To establish a program for the control, abatement, and
 2589 elimination of mosquitos and other noxious arthropods, insects,
 2590 reptiles, rodents, and other pests throughout the district and
 2591 to undertake such works and construct such facilities within the
 2592 district as may be determined by the board of supervisors to be
 2593 needed to effectuate such program or when necessary for the
 2594 health, safety, and welfare of the inhabitants, workers,
 2595 employees, or guests of or visitors to the district. The
 2596 Legislature finds and declares the district eligible to receive
 2597 state funds, supplies, services, and equipment available or that
 2598 may in the future become available to mosquito or pest control
 2599 districts.

2600 (11) Recreation facilities.—To own, acquire, construct,

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2601 reconstruct, equip, operate, maintain, extend, and improve
 2602 parks, playgrounds, picnic grounds, camping facilities, docks,
 2603 boating and fishing facilities, bathing beaches, and other water
 2604 recreation facilities.

2605 (12) Parking facilities.—To own, acquire, construct,
 2606 reconstruct, equip, operate, maintain, extend, and improve
 2607 parking facilities, to install or cause to be installed parking
 2608 meters at or near the curbs of streets, roads, and other public
 2609 ways within the district, and to adopt such regulations and
 2610 impose such charges in connection with any parking facilities
 2611 and parking meters as the board of supervisors deems necessary
 2612 or that are otherwise authorized by general law or this act.

2613 (13) Fire protection.—To own, acquire, construct,
 2614 reconstruct, equip, maintain, operate, extend, and improve fire
 2615 control facilities for the district, including fire stations,
 2616 water mains and plugs, fire trucks, and other vehicles and
 2617 equipment, and to undertake such works and construct such
 2618 facilities as may be determined necessary by the board of
 2619 supervisors, or that are otherwise authorized by general law or
 2620 this act, to carry out a program of fire prevention and fire
 2621 control within the district.

2622 (14) Transportation.—To own, acquire, construct,
 2623 reconstruct, equip, operate, maintain, extend, and improve
 2624 common, private, or contract carriers, buses, vehicles,
 2625 railroads, monorails, airplanes, helicopters, boats, and other

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2626 transportation systems and facilities as may be determined from
 2627 time to time by the board of supervisors to be useful or
 2628 appropriate to meet the transportation requirements of the
 2629 district and activities conducted within the district. In
 2630 addition, the district may own, acquire, construct, reconstruct,
 2631 equip, operate, maintain, extend, and improve helipads and sites
 2632 for vertical takeoff and landings within the boundaries of the
 2633 district.

2634 (15) Public utilities.—To own, acquire, construct,
 2635 reconstruct, equip, operate, maintain, extend, and improve
 2636 electric power plants, solar energy generating systems,
 2637 transmission lines and related facilities, gas mains and
 2638 facilities of any nature for the production, handling,
 2639 distribution, or sale of natural gas, centrally distributed
 2640 heating and air conditioning facilities and services, telephone
 2641 lines, wireless communications systems, internet, and fiber
 2642 optic cables and lines, facilities, plants, and systems, and
 2643 other communications systems of any nature, and to purchase and
 2644 sell electric power, natural gas, and other sources of power for
 2645 distribution within the district.

2646 (16) Conservation areas and sanctuaries.—To designate, set
 2647 aside, acquire, own, and maintain lands and areas within the
 2648 district as conservation areas or bird and wildlife sanctuaries,
 2649 paths, and corridors; to stock such areas with animal and plant
 2650 life and to stock water areas with fish and other aquatic life;

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2651 to adopt and enforce rules and regulations with respect thereto
 2652 and to protect and preserve the natural beauty thereof; and to
 2653 do all acts necessary, or that are otherwise authorized by
 2654 general law or this act, in order to qualify such lands and
 2655 areas as conservation areas, corridors, and sanctuaries under
 2656 any of the laws of the state or under federal law.

2657 (17) Issuance of bonds.—To issue general obligation bonds,
 2658 revenue bonds, assessment bonds, or any other bonds or
 2659 obligations authorized by the provisions of this act or any
 2660 other applicable law, or any combination of the foregoing, to
 2661 pay all or part of the cost of the acquisition, construction,
 2662 reconstruction, extension, repair, improvement, maintenance, or
 2663 operation of any project or combination of projects, to provide
 2664 for any facility, service, or other activity of the district,
 2665 and to provide for the retirement or refunding of any bonds or
 2666 obligations of the district, or for any combination of the
 2667 foregoing purposes.

2668 (18) Ancillary powers.—To own, acquire, construct,
 2669 reconstruct, equip, operate, maintain, extend, and improve such
 2670 other projects as the board of supervisors may in its discretion
 2671 find necessary, or that are otherwise authorized by general law
 2672 or this act, to accomplish the purposes of this act, and to
 2673 exercise through its board of supervisors all powers necessary,
 2674 convenient, or proper to carry out the purposes of this act.

2675 Section 9. Authority of district with respect to roads,

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2676 bridges, street lighting, etc.—

2677 (1) The district shall have the powers, and shall be
 2678 entitled to the benefits and privileges under law, of special
 2679 road and special road and bridge districts. The district shall
 2680 have the right and power to own, acquire, open, extend, close,
 2681 vacate, abandon, construct, reconstruct, replace, expand,
 2682 contract, limit, pave, operate, improve, regulate, and maintain
 2683 highways, streets, roads, bridges, alleys, sidewalks,
 2684 promenades, boardwalks, tunnels, interchanges, underpasses,
 2685 overpasses, causeways, storm drains, and public thoroughfares of
 2686 all kinds and descriptions that are located within and are owned
 2687 and controlled by the district (hereinafter collectively and
 2688 severally referred to as "public roads") and connections to and
 2689 extensions of any and all existing public roads within the
 2690 district deemed necessary or convenient by the board of
 2691 supervisors to provide access to and from and efficient
 2692 development, redevelopment, preservation, protection, or
 2693 enforcement of the real property within the district; to
 2694 regulate and control the use, encroachments in, upon, over, and
 2695 under, and the obstruction thereof; to erect, maintain, and from
 2696 time to time change the location of traffic control devices and
 2697 signs and street signs; and to construct and maintain sidewalks
 2698 and street lights along public roads and access ways and
 2699 elsewhere in the district as may from time to time be deemed
 2700 appropriate by the board of supervisors adequately to service

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2701 the district and its residential, park, recreational,
 2702 commercial, and industrial areas. The district has no authority
 2703 to take by eminent domain or otherwise acquire, or to prohibit
 2704 or regulate, any federal or state roadway or other
 2705 transportation facility without the consent of, respectively,
 2706 the Federal Highway Administration or the State Department of
 2707 Transportation.

2708 (2) The district shall have the right and authority to
 2709 contract with and franchise public or private persons to own,
 2710 acquire, open, extend, close, vacate, construct, pave, operate,
 2711 maintain, and improve public roads on such terms with respect to
 2712 construction, maintenance, operation, and restrictions on the
 2713 use of the public roads as the district may determine to be
 2714 appropriate. No private toll road franchised by the district and
 2715 no private road connected to or an extension of any state or any
 2716 other public road within the district shall, by reason of such
 2717 connection with a public road, and when not otherwise dedicated
 2718 to the use of the public, constitute or be deemed a public road.
 2719 Without limiting the district's authority to use ad valorem
 2720 taxes and other unencumbered collected fees and revenues within
 2721 the district, the district may use ad valorem taxes and other
 2722 unencumbered collected fees and revenues to provide funding for
 2723 public road projects, rail projects, and other regional
 2724 transportation projects outside of the district's boundaries
 2725 provided that such projects are within Orange County or Osceola

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2726 County; improve a street, road, highway, interstate, or rail
 2727 system that abuts or crosses into or through the district; serve
 2728 or benefit the property owners in the district as determined by
 2729 the board; and are performed, operated, governed, managed, or
 2730 appropriated by the state or its agencies, Orange County, or
 2731 Osceola County. Ad valorem taxes and other fees and revenues
 2732 directed to projects under this subsection may not exceed 5
 2733 mills per annum on the assessed value of the taxable property
 2734 within the district. For purposes of this subsection, the
 2735 reference to 5 mills is a limitation on annual spending
 2736 authority under this subsection and is not to be construed as
 2737 authority to impose ad valorem taxes in excess of the total
 2738 limit on ad valorem taxes under section 24.

2739 (3) The board of supervisors shall have the right and
 2740 authority to sell or lease any public road to the State
 2741 Department of Transportation, enter lease-purchase agreements
 2742 with respect thereto with the State Department of
 2743 Transportation, and contract with the same for the construction,
 2744 maintenance, regulation, or operation of any public road, on
 2745 such terms and conditions as the board and the State Department
 2746 of Transportation may agree. The State Department of
 2747 Transportation is authorized and empowered to purchase or lease
 2748 any public road from the district, enter lease-purchase
 2749 agreements with respect to the same, and construct or maintain
 2750 any road within the district pursuant to such agreement with the

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2751 board of supervisors. The cost of any road acquired, leased, or
 2752 constructed by the State Department of Transportation may be
 2753 defrayed in whole or in part out of the gasoline tax funds
 2754 accruing to the State Department of Transportation for use in
 2755 Orange and Osceola Counties, as the case may be, under the
 2756 provisions of s. 16, Art. IX of the State Constitution (1885),
 2757 as incorporated by s. 9(c), Art. XII of the State Constitution
 2758 (1968), ss. 206.41 and 206.60, Florida Statutes, and any other
 2759 laws of the state with respect to the application of taxes
 2760 levied upon gasoline, special fuels, or other like products.

2761 Section 10. State regulations.—The district shall be
 2762 subject to state agency permitting, regulation, and oversight in
 2763 accordance with general law except to the extent specifically
 2764 stated otherwise in this act, including, without limitation, the
 2765 Florida Commission on Ethics, Department of Economic
 2766 Opportunity, Department of Revenue, Department of Financial
 2767 Services, Florida Fish and Wildlife Conservation Commission, and
 2768 Department of Environmental Protection. Any permit or
 2769 governmental approval in good standing as of the effective date
 2770 of this act shall continue in full force and effect until
 2771 completed, expired, revised, or revoked as provided by general
 2772 law or this act.

2773 Section 11. Ethics and open government.—The district and
 2774 its public officers and employees are subject to part III of
 2775 chapter 112, Florida Statutes, the Code of Ethics for Public

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2776 Officers and Employees; however, the board of supervisors may
 2777 enact and enforce an ethics code that is more stringent than
 2778 general law. The district is subject to and shall comply with
 2779 chapter 119, Florida Statutes, the Public Records Act. The
 2780 district is subject to and shall comply with s. 189.015, Florida
 2781 Statutes, and chapter 286, Florida Statutes.

2782 Section 12. Preemption.—The district shall not have
 2783 authority to adopt and enforce any resolution, code, or
 2784 regulation on a subject that is expressly preempted to the state
 2785 by general law unless otherwise expressly stated in this act.

2786 Section 13. Exercise by district of powers within
 2787 counties, municipalities, and political subdivisions.—The
 2788 district shall have the power to exercise any of its rights,
 2789 powers, privileges, and authorities in any and all portions of
 2790 the district lying within the boundaries of Orange County,
 2791 Osceola County, the City of Bay Lake, the City of Lake Buena
 2792 Vista, and any other municipal corporation or other political
 2793 subdivision, heretofore or hereafter created or organized, the
 2794 boundaries of which lie wholly or partly within the geographic
 2795 limits of the district, to the same extent and in the same
 2796 manner as in areas of the district not incorporated as part of a
 2797 county, municipality, or other political subdivision. With
 2798 respect to any county, municipal corporation, or other political
 2799 subdivision the boundaries of which lie partly within and partly
 2800 outside the geographic limits of the district, the district

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2801 shall have the power to exercise its rights, powers, privileges,
 2802 and authorities only within the portion of such county,
 2803 municipal corporation, or other political subdivision lying
 2804 within the boundaries of the district, except as otherwise
 2805 provided in section 14. In the event of a conflict between the
 2806 provisions of this act and the powers of the district herein
 2807 provided for and the provisions of any charter or law, now or
 2808 hereafter enacted or adopted, establishing or pertaining to any
 2809 county, municipal corporation, or other political subdivision
 2810 the boundaries of which lie wholly or partly within the
 2811 district, the provisions of this act shall control in the
 2812 portion of such county, municipal corporation, or other
 2813 political subdivision which lie within the geographic limits of
 2814 the district, unless such other enactment of state law
 2815 specifically limits, repeals, supersedes, or amends this act. To
 2816 the extent any code, ordinance, rule, policy, or regulation of
 2817 such county, municipal incorporation, or other political
 2818 subdivision conflicts with or is inconsistent with this act,
 2819 this act controls.

2820 Section 14. Furnishing facilities and services within
 2821 district territory.—

2822 (1) The district shall have the power to construct,
 2823 maintain, and operate its projects within the geographic limits
 2824 of the district, including any portions of the district located
 2825 inside the boundaries of any county, incorporated municipality,

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2826 or other political subdivision, and to offer, supply, and
 2827 furnish the facilities and services provided for in this act to,
 2828 and to collect fees, rentals, and other charges from, persons,
 2829 firms, corporations, counties, municipalities, political
 2830 subdivisions, and other public or private agencies or bodies
 2831 within the geographic limits of the district, and for the use of
 2832 the district itself.

2833 (2)(a) For any project that the district is currently
 2834 constructing as of, or has constructed prior to, the effective
 2835 date of this act, outside the geographic limits of the district,
 2836 the district may continue to complete, operate, and maintain
 2837 such projects and charge and collect fees, rents, charges, or
 2838 other revenues on such projects subject to any terms and
 2839 conditions of applicable agreements that may exist.

2840 (b) On or after the effective date of this act:

2841 1. The district shall not construct any project outside of
 2842 the geographic limits of the district, except upon the consent,
 2843 approval, or certification of any regulatory agency, the state,
 2844 or the governing body of any county, municipality, or other
 2845 political subdivision thereof in which the project is located.

2846 2. The district may offer, furnish, or supply facilities
 2847 and services outside of the geographic limits of the district;
 2848 however, if consent, approval, or certification of any
 2849 regulatory agency, the state, or the governing body of any
 2850 county, municipality, or other political subdivision thereof is

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2851 required by law such consent, approval, or certification must be
 2852 obtained.

2853
 2854 Subject to such approval, the district may charge and collect
 2855 fees, rents, charges, or other revenues on such projects.

2856 Section 15. Mandatory use of certain district facilities
 2857 and services.-The district may require all lands, buildings, and
 2858 premises, and all persons, firms, and corporations, within the
 2859 district or within any zone or area within the district created
 2860 for such purpose, to use the drainage and reclamation
 2861 facilities, flood control facilities, water and sewer systems,
 2862 and waste collection and disposal systems of the district.

2863 Subject to such exceptions as may be provided by the
 2864 resolutions, rules, or bylaws of the board of supervisors, and
 2865 subject to the terms and provisions of any resolution
 2866 authorizing any bonds and agreements with bondholders, no
 2867 drainage and reclamation facilities, flood control facilities,
 2868 water and sewer systems, or waste collection and disposal
 2869 systems shall be constructed or operated within the district
 2870 unless the board gives its consent thereto and approves the
 2871 plans and specifications therefor.

2872 Section 16. Maintenance of projects across rights-of-way.-
 2873 The district shall have the power to construct and operate its
 2874 projects in, on, along, across, through, or under any streets,
 2875 alleys, highways, or other public places or ways, and across any

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2876 drain, ditch, canal, floodway, holding basin, excavation,
 2877 railroad right-of-way, track, grade, fill, or cut. However, just
 2878 compensation shall be paid by the district for any private
 2879 property taken or damaged by the exercise of such power to the
 2880 extent required by law. For properties owned by the state or the
 2881 Federal Government, the consent of the state or the Federal
 2882 Government, as applicable, shall be required for the district to
 2883 construct and operate the district project or projects within
 2884 the state-owned or federally owned properties and facilities.

2885 Section 17. Fees, rentals, fares, and charges; procedure
 2886 for adoption and modification; minimum revenue requirements.-

2887 (1) The district shall have the power to prescribe, fix,
 2888 establish, and collect rates, fees, rentals, fares, or other
 2889 charges (hereinafter sometimes referred to as "revenues"), and
 2890 to revise the same from time to time, for the facilities and
 2891 services furnished or to be furnished by the district,
 2892 including, but not limited to, drainage facilities, water and
 2893 sewer systems, waste collection and disposal systems, and other
 2894 public utilities, and to recover the costs of making connection
 2895 with any district facility or system.

2896 (2) No such rates, fees, rentals, fares, or other charges
 2897 for any of the facilities or services of the district, other
 2898 than parking facilities and parking meters, shall be fixed until
 2899 after a public hearing at which all the users of the proposed
 2900 facility or services or owners, tenants, or occupants served or

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2901 to be served thereby and all other interested persons have an
 2902 opportunity to be heard concerning the proposed rates, fees,
 2903 rentals, fares, or other charges. Notice of such public hearing
 2904 setting forth the proposed schedule or schedules of rates, fees,
 2905 rentals, fares, and other charges shall be published as provided
 2906 in chapter 50, Florida Statutes, at least 10 days prior to such
 2907 public hearing, which may be adjourned from time to time. After
 2908 such hearing, such schedule or schedules, either as initially
 2909 proposed or as modified or amended, may be finally adopted. A
 2910 copy of the schedule or schedules of such rates, fees, rentals,
 2911 fares, or other charges as finally adopted shall be kept on file
 2912 in an office designated by the board of supervisors and shall be
 2913 open at all reasonable times to public inspection. The rates,
 2914 fees, rentals, fares, or other charges so fixed for any class of
 2915 users or property served shall be extended to cover any
 2916 additional users or properties thereafter served which fall in
 2917 the same class, without the necessity of any notice or hearing.
 2918 Any change or revision of rates, fees, rentals, fares, or other
 2919 charges may be made in the same manner as the same were
 2920 originally established, as hereinabove provided, except that if
 2921 such changes or revisions are made substantially pro rata as to
 2922 all classes of the type of service involved, no notice or
 2923 hearing shall be required.
 2924 (3) Such rates, fees, rentals, fares, and other charges
 2925 shall be just, equitable, and uniform for users of the same

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2926 class and, where appropriate, may be based or computed either
 2927 upon the amount of service furnished or upon the number or
 2928 average number of persons residing or working or otherwise
 2929 occupying the premises served, or upon any other factor
 2930 affecting the use of the facilities furnished, or upon any
 2931 combination of the foregoing factors, as may be determined by
 2932 the board of supervisors on an equitable basis.
 2933 (4) The rates, fees, rentals, fares, or other charges
 2934 prescribed shall be such as will produce revenues, together with
 2935 any other assessments, taxes, revenues, or funds available or
 2936 pledged for such purpose, at least sufficient to provide for the
 2937 following items, but not necessarily in the order stated:
 2938 (a) To provide for all expenses of operation and
 2939 maintenance of such facility or service, including reserves for
 2940 such purpose;
 2941 (b) To pay, when due, all bonds and interest thereon for
 2942 the payment of which such revenues are or have been pledged or
 2943 encumbered, including reserves for such purpose; and
 2944 (c) To provide for any other funds that may be required
 2945 under the resolution or resolutions authorizing the issuance of
 2946 bonds pursuant to this act.
 2947 (5) The board of supervisors shall have the power to enter
 2948 into contracts for the use of the projects of the district and
 2949 with respect to the services and facilities furnished or to be
 2950 furnished by the district, including, but not limited to,

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2951 service agreements with landowners and others within the
 2952 district providing for the furnishing of any of the services and
 2953 facilities of the district, for such consideration and on such
 2954 other terms and conditions as the board may approve.
 2955 Furthermore, the board of supervisors shall have the power to
 2956 enter into contracts or service agreements with landowners and
 2957 others within or outside of the district providing for the
 2958 drainage of land by the district. Such contracts and agreements
 2959 shall not be subject to the provisions and limitations of
 2960 subsections (2), (3), and (4) but:
 2961 (a) Shall be subject to the limitations of section 14.
 2962 (b) Shall not be entered into for a period longer than 40
 2963 years from the effective date thereof.
 2964 (c) Shall be fair and reasonable in relation to the rates,
 2965 fees, rentals, fares, or other charges to be paid by other users
 2966 of the facilities and services concerned.
 2967
 2968 Such contracts or agreements, and revenues or service charges
 2969 received or to be received by the district thereunder, may be
 2970 pledged as security for any of the bonds of the district.
 2971 Section 18. Recovery of delinquent charges.—In the event
 2972 that any of the rates, fees, rentals, charges, or delinquent
 2973 penalties are not paid as and when due and are in default for 30
 2974 days or more, the unpaid balance thereof and all interest
 2975 accrued thereon, together with attorney fees and costs, may be

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2976 recovered by the district in a civil action.
 2977 Section 19. Discontinuance of service.—In the event that
 2978 the fees, rentals, or other charges for the services and
 2979 facilities of any project are not paid when due, the board of
 2980 supervisors shall have the power to discontinue and shut off the
 2981 same until such fees, rentals, or other charges, including
 2982 interest, penalties, and charges for the shutting off and
 2983 discontinuance and the restoration of such services and
 2984 facilities, are fully paid, and for such purposes may enter on
 2985 any lands, waters, and premises of any person, firm,
 2986 corporation, or other body, public or private, within the
 2987 district limits. Such delinquent fees, rentals, or other
 2988 charges, together with interest, penalties, and charges for the
 2989 shutting off and discontinuance and the restoration of such
 2990 services and facilities, and reasonable attorney fees and other
 2991 expenses, may be recovered by the district by suit in any court
 2992 of competent jurisdiction. The district may also enforce payment
 2993 of such delinquent fees, rentals, or other charges by any other
 2994 lawful method of enforcement.
 2995 Section 20. Agreements with private parties concerning the
 2996 furnishing of facilities and services.—The district shall have
 2997 the power to enter into agreements with any person, firm, or
 2998 corporation for the furnishing by such person, firm, or
 2999 corporation of any facilities and services of the type provided
 3000 for in this act to the district, and for or on behalf of the

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3001 district, to persons, firms, corporations, and other public or
 3002 private bodies and agencies to whom the district is empowered
 3003 under this act to furnish facilities and services, and the
 3004 district may by agreement join with any public or privately
 3005 owned utility plant or system in furnishing any of the
 3006 facilities or services of the district. However, any
 3007 telecommunications company, as defined in s. 364.02, Florida
 3008 Statutes, and amendments thereto, and any privately owned or
 3009 operated electric power company, so contracting with the
 3010 district shall be subject to the provisions and requirements of
 3011 general law pertaining to certification and regulation of
 3012 telecommunications and electric power companies, and the
 3013 district shall not enter into any franchise or other agreement
 3014 with any person, firm, or corporation to provide either
 3015 independently, jointly with, or as agent of the district or
 3016 otherwise, telecommunications service in any area of the
 3017 district as to which area such person, firm, or corporation does
 3018 not hold a certificate of convenience and necessity from the
 3019 Florida Public Service Commission.

3020 Section 21. Interlocal agreements.—The district shall have
 3021 the authority to enter into mutual aid agreements and interlocal
 3022 agreements with counties, municipalities, law enforcement
 3023 agencies, and other public agencies, including, without
 3024 limitation, as authorized by s. 163.01, Florida Statutes.

3025 Section 22. Within act is full authority for the

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3026 establishment of district projects.—The board of supervisors
 3027 shall have exclusive jurisdiction and control over all of the
 3028 projects of the district, including, but not limited to, all
 3029 drainage and reclamation facilities, water and flood control
 3030 facilities, water and sewer systems, public utilities, and
 3031 transportation facilities, and over the budget and finances of
 3032 the district, including, without limitation, expenditures and
 3033 appropriations, except to the extent otherwise provided in this
 3034 act and except to the extent that the board may by agreement
 3035 with any other public or private body authorize the same to
 3036 exercise jurisdiction or control over any of the projects of the
 3037 district. Subject to the limitations of and as may be otherwise
 3038 required in this section and in section 14, it shall not be
 3039 necessary for the district to obtain any certificate of
 3040 convenience or necessity, franchise, license, permit, or other
 3041 authorization from any bureau, board, commission, or like
 3042 instrumentality of the state or any political subdivision
 3043 thereof in order to construct, reconstruct, acquire, extend,
 3044 repair, improve, maintain, or operate any project, and the
 3045 rates, fees, rentals, fares, or other charges to be fixed and
 3046 collected with respect to the facilities and services of the
 3047 district shall not be subject to the supervision, regulation, or
 3048 rate-setting power of any bureau, board, commission, or other
 3049 agency of the state or any political subdivision thereof.
 3050 Nothing in this section or any other section of this act shall

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3051 be deemed to exempt any privately owned or operated
 3052 telecommunications company, as defined in s. 364.02, Florida
 3053 Statutes, and amendments thereto, or any privately owned or
 3054 operated electric power company, or any person, firm, or
 3055 corporation other than the district acting either independently,
 3056 jointly with, or as agent of the district or otherwise, from the
 3057 provisions or requirements of any other law pertaining to the
 3058 certification or regulation of telecommunications or electric
 3059 power companies, persons, firms, or corporations, or from the
 3060 jurisdiction of the Florida Public Service Commission or other
 3061 regulatory agencies.

3062 Section 23. Planning; building codes; safety regulations;
 3063 platting and subdivisions; zoning.-

3064 (1) EXEMPTION FROM COUNTY ZONING AND REGULATION;
 3065 LIMITATION OF MUNICIPAL ORDINANCES AND REGULATIONS.-Chapters 59-
 3066 1646, 59-1673, 63-1716, 65-975, 65-1999, 65-2015, 83-480, and
 3067 83-481, Laws of Florida, and any other laws of the state now or
 3068 hereafter enacted to the contrary notwithstanding, the
 3069 jurisdiction and powers of the board of supervisors with respect
 3070 to the matters provided for in this section shall be exclusive
 3071 of any and all codes, ordinances, requirements, plans, or other
 3072 regulations of the respective Boards of County Commissioners of
 3073 Orange and Osceola Counties or of any other agency or authority
 3074 of Orange County or Osceola County with respect to comprehensive
 3075 plans; zoning; building and construction; planning with respect

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3076 to the subdividing, uses, development, and redevelopment of
 3077 land; regulation of building safety; regulation of escalators,
 3078 elevators, and other lifting or transportation devices;
 3079 regulation of amusement and recreation parks and facilities;
 3080 regulation of plumbing and electrical installations and other
 3081 safety or sanitary codes; regulation of water supply wells and
 3082 drainage well drilling; the approval and vacating of plats and
 3083 subdivisions; and the regulation of subdivisions. The district,
 3084 and all land, properties, uses, development, redevelopment, and
 3085 activities within the district, are exempt from any and all such
 3086 codes, ordinances, requirements, plans, and regulations, and any
 3087 and all requirements for building and construction permits and
 3088 licenses pertaining to the same, now or hereafter adopted by the
 3089 respective Boards of County Commissioners of Orange County and
 3090 Osceola County. However, nothing herein shall exempt any general
 3091 contractor, electrical contractor, builder, owner-builder, or
 3092 specialty contractor from the provisions and requirements of any
 3093 other laws of the state with respect to examination and
 3094 licensing, or from any of the fees and bonds required of such
 3095 contractors or builders by law. The board of supervisors may
 3096 provide that the district or such areas or parts thereof as the
 3097 board may designate shall remain or become subject to such
 3098 county comprehensive plan, zoning, building, and safety codes
 3099 and regulations, and regulations and controls with respect to
 3100 subdivisions and plats and the vacating thereof, and the uses,

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3101 development, and redevelopment thereof. The board of supervisors
 3102 may, except as otherwise required by this section, exercise the
 3103 powers granted to it in this section within the municipal limits
 3104 of any municipality now or hereafter organized or existing
 3105 within the district. If the governing body of a municipality
 3106 that exists within the district has under the terms of its
 3107 charter or under law like powers as provided for herein, the
 3108 authority of such municipal governing body is limited to
 3109 adopting and enforcing ordinances and regulations that are the
 3110 same as or more restrictive than and not in conflict with those
 3111 adopted by the district on such matters.

3112 (2) CONFLICTS BETWEEN REGULATIONS OF DISTRICT AND
 3113 MUNICIPALITIES.—The district must exercise its authority set
 3114 forth in this act to adopt, amend, and enforce a comprehensive
 3115 plan in accordance with the Community Planning Act, ss.
 3116 163.3161-163.3253, Florida Statutes, and adopt and enforce
 3117 zoning regulations, land development regulations, environmental
 3118 protection regulations, building and safety codes and
 3119 regulations, platting and subdivision regulations, and fire
 3120 prevention regulations governing the entire district, including
 3121 within the city limits of any municipality within the district.
 3122 The district's comprehensive plan, zoning regulations, and
 3123 development regulations, environmental protection regulations,
 3124 building and safety codes and regulations, platting and
 3125 subdivision regulations, and fire prevention regulations shall

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3126 control within the city limits of any municipality within the
 3127 district to the extent of any conflict between the district's
 3128 resolutions and regulations on such matters.

3129 (3) REVIEW AND EVALUATION OF EXISTING RESOLUTIONS, CODES,
 3130 AND REGULATIONS.—On or before July 1, 2026, the district must
 3131 undertake a comprehensive review and evaluation of its
 3132 comprehensive plan, zoning regulations, land development
 3133 regulations, environmental protection regulations, building and
 3134 safety codes and regulations, platting and subdivision
 3135 regulations, and fire prevention regulations and adopt revisions
 3136 to such as the district determines are necessary for health,
 3137 safety, and welfare and for consistency with this act.

3138 (4) COMPREHENSIVE PLANNING; BUILDING AND SAFETY CODES.—The
 3139 board of supervisors shall have the power to:

3140 (a) Adopt, review, amend, supplement, or repeal a
 3141 comprehensive plan for the physical development of the area
 3142 within the district in accordance with the Community Planning
 3143 Act, ss. 163.3161-163.3253, Florida Statutes, and the objectives
 3144 and purposes of this act.

3145 (b) Adopt, review, amend, supplement, or repeal codes
 3146 regulating building safety, elevators, escalators, and similar
 3147 devices, the prevention of fire hazards, plumbing and electrical
 3148 installations, the operation of amusement and recreation parks
 3149 and facilities, water supply wells and drainage wells, and such
 3150 other safety or sanitary codes as the board of supervisors may

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3151 determine to be necessary. The jurisdiction and power of the
 3152 board provided for herein shall be exclusive of the Florida
 3153 Building Code and the Florida Fire Prevention Code, provided
 3154 that any such codes adopted by the district are at least
 3155 equivalent to the minimum standards in the Florida Building Code
 3156 and the Florida Fire Prevention Code as required by subsection
 3157 (10). With respect to buildings and structures existing, under
 3158 construction, or permitted prior to the effective date of this
 3159 act, the board of supervisors may determine whether retrofit
 3160 improvements will be necessary to conform with, in whole or in
 3161 part, current code standards, and the board of supervisors may
 3162 grant waivers to current code standards concerning such
 3163 buildings and structures.

3164 (c) Prohibit the construction, alteration, repair,
 3165 removal, or demolition, or the commencement of the construction,
 3166 alteration, repair (excepting emergency repairs), removal, or
 3167 demolition, of any building or structure, including, but not
 3168 limited to, public utility poles, lines, pipes, and facilities,
 3169 without first obtaining a permit from the board of supervisors
 3170 or such other officer or agency as the board may designate, and
 3171 to prescribe the procedure with respect to the obtaining of such
 3172 permit.

3173 (d) Provide for the manner in which such comprehensive
 3174 general plans, codes, regulations, and restrictions shall be
 3175 determined, established, and enforced, and amended,

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3176 supplemented, changed, or repealed, as the board of supervisors
 3177 may determine, with notice and public hearing as required by
 3178 law.

3179 (e) Review, process, and comment on and approve, approve
 3180 with conditions, or reject applications for development orders
 3181 and building permits pertaining to properties within the
 3182 district. Appeals or challenges to development orders and
 3183 building permits shall be in the same manner as provided by law.

3184 (5) RECORDING OF PLATS.—

3185 (a) Whenever land in the district is platted into lots,
 3186 blocks, parcels, tracts, or other portions, however designated,
 3187 a plat thereof shall be recorded in the public records of Orange
 3188 County or Osceola County, as the case may be. No such plat shall
 3189 be recorded either as an independent instrument or by attachment
 3190 to another instrument entitled to record unless and until it is
 3191 first approved by the board of supervisors. Plats approved by
 3192 the board of supervisors and recorded in the public records of
 3193 Orange County or Osceola County must meet the minimum
 3194 requirements of and be consistent with part I of chapter 177,
 3195 Florida Statutes. Any plat recorded in violation of this section
 3196 shall be invalid and subject to expungement.

3197 (b) The board of supervisors shall be authorized and
 3198 empowered to prescribe, as prerequisites to the approval for
 3199 record of any plat or plats of lands within the district, the
 3200 width and location of roads, streets, alleys, thoroughfares, and

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3201 ditches and setback therefrom; to adopt and prescribe rules and
 3202 regulations to effectuate the provisions and purposes of this
 3203 act; to prescribe specifications and requirements for
 3204 regulations relating to the construction of roads, streets,
 3205 alleys, and drainage facilities, minimum lot sizes, maximum
 3206 block sizes, building lines, names of streets and roads, bridge
 3207 construction, water supply, sewage disposal, and other related
 3208 matters involving lands to be platted; to prescribe information
 3209 to be shown on plats, including, without limitation, parks,
 3210 recreation areas, and open spaces; and to require the furnishing
 3211 to the board of supervisors of a good and sufficient bond
 3212 conditioned upon the completion of the drainage, sewage,
 3213 streets, roads and alleys, and other improvements shown on the
 3214 plat within such time or times as may be required by the board,
 3215 and such bond shall be approved by the board.

3216 (c) The board of supervisors is further granted the
 3217 authority and discretion to waive the platting and recording of
 3218 land into lots, roads, blocks, parcels, tracts, or other
 3219 portions, however designated, in any instance in which the board
 3220 determines that the dividing or subdividing of the land without
 3221 a recorded plat is not injurious to the public health, safety,
 3222 comfort, convenience, and welfare of the inhabitants of the
 3223 district.

3224 (6) VACATING OF PLATS.—
 3225 (a) Plats or integrated portions or parcels of land

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3226 heretofore or hereafter platted within the district may be
 3227 vacated upon the resolution of the board of supervisors upon
 3228 such terms and conditions as the board may prescribe by
 3229 regulation. Such regulation may require, inter alia, the payment
 3230 of all taxes and assessments and the redemption from all
 3231 outstanding tax sales, and the dedication to the public of all
 3232 roads, streets, alleys, and other thoroughfares, however
 3233 designated.

3234 (b) Upon approval by the board of supervisors of the
 3235 recording of a plat or the vacating of a plat or portions
 3236 thereof, the approval or consent to such recording or vacating
 3237 shall not be required of any other body, authority, or agency of
 3238 Orange County or Osceola County or any political subdivision
 3239 thereof.

3240 (7) SUBDIVISION OF LANDS.—
 3241 (a) In addition to and not in limitation of any of the
 3242 other powers of the board of supervisors under this act,
 3243 whenever land in the district is to be subdivided, the proposed
 3244 plan for subdivision and use of the land shall be presented to
 3245 the board for its approval in accordance with the standards and
 3246 provisions of this act and in accordance with any rules and
 3247 regulations that may be adopted by the board. The board of
 3248 supervisors shall have the power to adopt subdivision
 3249 regulations providing:

3250 1. Requirements for general information concerning

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3251 existing conditions and proposed developments as a prerequisite
 3252 to the approval of subdivision plans or plats. This information
 3253 may include, without limitation, data on existing covenants,
 3254 land characteristics, community facilities, and utilities and
 3255 information describing the subdivision proposal, including maps
 3256 and reports presenting the number of residential lots, typical
 3257 lot width and depth, price range, business areas, playgrounds,
 3258 park areas and other open areas, proposed protective covenants,
 3259 and proposed utilities, drainage, and street improvements.
 3260 2. For proper density of population and intensity of use
 3261 and the lengths, widths, and shapes of blocks and lots.
 3262 3. That streets in proposed subdivisions, including
 3263 streets bordering on proposed subdivisions, shall be of
 3264 specified widths and grades and so located as to accommodate
 3265 prospective traffic to serve proposed subdivisions adequately,
 3266 afford adequate light and air, facilitate fire protection, and
 3267 provide access for firefighting equipment to buildings.
 3268 4. That such streets be properly arranged, coordinated,
 3269 and integrated with existing or planned streets, roads, or
 3270 highways.
 3271 5. That adequate easements or rights-of-way shall be
 3272 provided for drainage and all utilities.
 3273 6. That the layout and design of proposed subdivisions
 3274 shall conform to a comprehensive plan adopted by the board of
 3275 supervisors for the area and to measures adopted to implement

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3276 the comprehensive plan.
 3277 7. The dedication or reservation of land for streets.
 3278 8. The extent to which grounds which are to be used for
 3279 public purposes other than streets shall be dedicated or
 3280 reserved as a condition precedent to approval of any subdivision
 3281 or plat.
 3282 9. That such parks, playgrounds, sites for public
 3283 building, or other areas designated for public use shall be of
 3284 suitable size and location for their designated uses.
 3285 10. The conditions prerequisite to subdivision and
 3286 development of lands subject to seasonal or periodic flooding.
 3287 11. The manner in which and the extent to which streets,
 3288 sidewalks, water, sewer, and other utility connections or mains,
 3289 pipings, and any other necessary physical improvements shall be
 3290 installed, and the specifications therefor, as conditions
 3291 precedent to final approval of the subdivision plan.
 3292 12. The requirements of covenants as a prerequisite to
 3293 subdivision plan approval.
 3294 13. That sufficient and suitable monuments shall be placed
 3295 to enable the survey of the subdivision or any part thereof to
 3296 be retraced.
 3297 14. The numbering and naming of streets and the providing
 3298 of street signs.
 3299 (b) Subdivision regulations may further provide that the
 3300 board shall not approve any subdivision plan or plat unless it

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3301 finds after full consideration of all pertinent data that the
 3302 subdivision can be served adequately and economically with such
 3303 normal public facilities and services as are suitable in the
 3304 circumstances of the particular case.

3305 (c) Subdivision regulations may further require as a
 3306 prerequisite to the approval of a subdivision plan that:

3307 1. All required improvements shall be installed in accord
 3308 with the provisions of the subdivision regulations or amendments
 3309 thereto; or

3310 2. A surety bond be executed by a company authorized to do
 3311 business in the state which is satisfactory to the board of
 3312 supervisors, payable to the district in sufficient amount to
 3313 ensure the completion of all required improvements, and provides
 3314 for and secures to the public the actual construction and
 3315 installation of such improvements within a period required by
 3316 the board and expressed in the bond. The board is hereby granted
 3317 the power to enforce such bonds by resort to legal and equitable
 3318 remedies. As an alternative to the provision of a surety bond,
 3319 such regulations may also provide for the deposit of cash in an
 3320 escrow account whereby the board or its agent is put in an
 3321 assured position to provide the required improvements.

3322 (8) VARIANCES AND WAIVERS.—

3323 (a) Where the board of supervisors finds that
 3324 extraordinary hardships may result from strict compliance with
 3325 its regulations concerning subdivision and platting, it may vary

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3326 the regulations so that substantial justice may be done and the
 3327 public interest secured, provided that such variation will not
 3328 have the effect of nullifying the intent and purpose of the
 3329 comprehensive general plan or the regulations of the board.

3330 (b) The regulations of the board of supervisors may
 3331 further provide that the standards and requirements set out in
 3332 the regulations may be modified by the board in the case of a
 3333 plan and program for a new town which comes under the provisions
 3334 of this act, a complete community, or a neighborhood unit,
 3335 which, in the judgment of the board, provides adequate public
 3336 spaces and improvements for the circulation, recreation, light,
 3337 air, and service needs of the tract when fully developed and
 3338 populated, and which also provides such covenants or other legal
 3339 provisions as will ensure conformity with and achievement of the
 3340 comprehensive plan of the board. In granting any such
 3341 modifications, the board of supervisors may require such
 3342 reasonable conditions and safeguards as will secure
 3343 substantially the objectives of the standards or requirements so
 3344 modified.

3345 (c) The board of supervisors may waive any or all of the
 3346 requirements of this section and the rules and regulations
 3347 adopted thereunder if it is determined upon the plans and data
 3348 submitted by the subdivider that compliance with this section is
 3349 not required because said plan or plat does not conflict with or
 3350 nullify the intent and purpose of this act. If a waiver is

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3351 granted, compliance with this section shall not be required as
 3352 long as the plan, plat, and use of the land upon which the
 3353 waiver is granted is not altered, changed, or modified by the
 3354 subdivider or subsequent owner. In granting variances and
 3355 modifications, the board of supervisors may require such
 3356 conditions as will in its judgment secure substantially the
 3357 objectives of the standards or requirements so varied or
 3358 modified.

3359 (9) ZONING; PLANNING AND ZONING COMMISSION; ZONING BOARD
 3360 OF ADJUSTMENT.-In addition to and not in limitation of the
 3361 foregoing, the board of supervisors shall have the power to:

3362 (a) Regulate, restrict, and determine the location,
 3363 height, number of stories, size, cubic contents, area, and
 3364 design, and the erection, construction, reconstruction,
 3365 alteration, and repair, of buildings and other structures for
 3366 trade, industry, residence, and other purposes, and the
 3367 materials used in the construction thereof; the number,
 3368 location, height, size, appearance, and use of billboards and
 3369 all other advertising signs, banners, handbills, and devices;
 3370 the percentage and portion of lots and land that may be occupied
 3371 or built on; setback lines; the size of yards, courts, and other
 3372 open spaces; the density of population; the use of buildings,
 3373 structures, land, and water for trade, industries, residences,
 3374 apartment houses, and any and all other purposes; the location,
 3375 size, and plan of parks and recreational areas, schools, school

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3376 sites, churches, cemeteries, burial places, commercial and
 3377 industrial facilities, public and private utilities, traffic,
 3378 parking facilities, and drainage and water control facilities;
 3379 and to appoint inspectors.

3380 (b) Adopt regulations to prohibit or control the pollution
 3381 of air and water, and require electrical power,
 3382 telecommunications, and other utility lines, cables, pipes, and
 3383 ducts to be placed underground.

3384 (c) Divide the district into zones or districts of such
 3385 number, shape, and area as the board of supervisors deems best
 3386 suited to carry out the purposes of this section, and within and
 3387 for each such district make regulations and restrictions as
 3388 provided for in paragraphs (a) and (b). All such regulations
 3389 shall be uniform throughout each district, but the regulations
 3390 in one district may differ from those in another district.

3391 (d) Provide for the manner in which zoning regulations and
 3392 restrictions and the boundaries of zones and districts shall be
 3393 determined, established, and enforced and from time to time
 3394 amended, supplemented, or repealed.

3395 (e) In appropriate cases, and subject to such principles,
 3396 standards, rules, conditions, and safeguards as may be provided
 3397 by regulation, make special exceptions to the terms of the
 3398 zoning regulations and restrictions in harmony with their
 3399 general purpose and intent, and authorize variances from the
 3400 strict application of the regulations and restrictions in such

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3401 situations and subject to such limitations as may be provided by
 3402 regulation.

3403 (f) Establish a Planning and Zoning Commission; prescribe
 3404 the powers, duties, and functions of such Planning and Zoning
 3405 Commission, the requirements for membership on the commission,
 3406 the term or terms of office of members of the commission, and
 3407 the rules and procedure to be followed in proceedings before or
 3408 involving the commission and as to all other matters affecting
 3409 the organization and functioning of the commission; and appoint
 3410 the members thereof. The board of supervisors may by regulation
 3411 authorize the Planning and Zoning Commission to discharge such
 3412 of the administrative duties, powers, and functions of the board
 3413 with respect to zoning as may be provided in such regulation.

3414 (g) Hear and decide appeals from any order, requirement,
 3415 decision, or determination of the Planning and Zoning Commission
 3416 or by any administrative official in connection with any zoning
 3417 matter, hear and decide requests for special exceptions from the
 3418 terms and provisions of any planning or zoning regulation or
 3419 restriction, and grant variances from the terms of any planning
 3420 or zoning regulation or restriction in appropriate cases. The
 3421 board of supervisors may by regulation provide for a Zoning
 3422 Board of Adjustment to discharge any or all of the foregoing
 3423 administrative functions and duties, prescribe the requirements
 3424 for membership on the Zoning Board of Adjustment, the term or
 3425 terms of office, the rules and regulations for all proceedings

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3426 before or involving such Zoning Board of Adjustment and as to
 3427 all other matters affecting the organization and functioning of
 3428 the Zoning Board of Adjustment, and appoint the members thereof.

3429 (10) EQUIVALENT STANDARDS.—Any regulations adopted
 3430 pursuant to the provisions of this section relating to safety,
 3431 health, sanitation, or building safety shall prescribe standards
 3432 at least equivalent to the minimum standards in applicable
 3433 statewide regulations protecting the general safety and welfare
 3434 of the public.

3435 Section 24. Ad valorem taxes.—The board of supervisors
 3436 shall have the power to levy and assess an ad valorem tax on all
 3437 the taxable real and tangible personal property in the district
 3438 to pay the principal of and interest on any general obligation
 3439 bonds of the district, to provide for any sinking or other funds
 3440 established in connection with any such bonds, and to finance
 3441 and defray the cost of any of the projects or activities of the
 3442 district authorized by the provisions of this act or under law,
 3443 provided that the district's ad valorem taxing authority shall
 3444 be limited to serving or benefitting the property owners of the
 3445 district. The total amount of such ad valorem taxes levied in
 3446 any year shall not be in excess of 30 mills on the dollar per
 3447 annum on the assessed value of the taxable property within the
 3448 district. The ad valorem tax provided for herein shall be in
 3449 addition to county and municipal ad valorem taxes provided for
 3450 by law.

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3451 Section 25. Maintenance taxes.-In addition to the ad
 3452 valorem taxes authorized by section 24, the board of supervisors
 3453 is authorized to levy and assess a maintenance tax as provided
 3454 for in s. 298.54, Florida Statutes, and amendments thereto, in
 3455 an amount not to exceed the maximum rate therein provided, and
 3456 in addition thereto, a special ad valorem maintenance tax on all
 3457 of the taxable real and tangible personal property in the
 3458 district, at a rate not exceeding 10 mills on the dollar per
 3459 annum, for the purpose of defraying any of the costs and
 3460 expenses of the district, including, but not limited to,
 3461 maintenance, repair, and operation of the projects of the
 3462 district, costs incurred in connection with the financing of
 3463 district projects, and costs of administration.
 3464 Section 26. Determining property values for ad valorem tax
 3465 purposes.-Ad valorem taxes of the district shall be based on the
 3466 county assessed valuation of the real and personal property
 3467 subject to such district ad valorem taxes.
 3468 Section 27. Utility tax.-
 3469 (1) The district shall have the right, power, and
 3470 authority by resolution of the board of supervisors to impose,
 3471 levy, and collect on each and every purchase of electricity,
 3472 metered or bottled gas (natural, liquified, petroleum gas or
 3473 manufactured), water service, or telecommunications service in
 3474 its geographic limits a tax (straight percentage, sliding scale,
 3475 graduated, or other basis) in an amount not to exceed 10 percent

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3476 of the payments received by the seller of such utility service
 3477 from the purchaser for the purchase of such utility service.
 3478 However, the sale of natural gas to a public or private utility,
 3479 including municipal corporations and rural electric cooperative
 3480 associations, either for resale or for use as fuel in the
 3481 generation of electricity or other forms of power, shall not be
 3482 deemed to be a utility service, and purchases thereof under such
 3483 circumstances shall not be taxable hereunder. In every case, the
 3484 tax shall be collected from the purchaser of such utility
 3485 service and paid by such purchaser for the use of the district
 3486 to the seller of such utility service at the time of the
 3487 purchaser paying the charges therefor to the seller.
 3488 (2) It shall be the duty of every seller of such utility
 3489 service, in acting as a tax collection medium or agency for the
 3490 district, to collect from the purchaser, for the use of the
 3491 district, any tax imposed and levied by resolution of the board
 3492 of supervisors pursuant to this section, and to report and pay
 3493 over to the board, or such other body or officer as the board
 3494 may designate, all such taxes imposed, levied, and collected in
 3495 accordance with the accounting and other provisions of the
 3496 resolution of the board. Any such resolution may provide that
 3497 federal, state, county, and municipal governments and their
 3498 commissions and agencies, other tax-supported bodies, public
 3499 corporations, authorities, boards and commissions, and churches
 3500 and other charitable organizations shall be exempt from the

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3501 payment of the taxes imposed and levied thereby. In the event
 3502 any such resolution imposes such a tax on the purchase of one of
 3503 the utility services described herein and a competitive utility
 3504 service or services are purchased in the district, then such
 3505 resolution shall impose a tax in like amount on the purchase of
 3506 the competitive utility service or services whether privately or
 3507 publicly owned or distributed. However, telecommunications
 3508 service or other forms of communication shall not be required to
 3509 be considered competitive services.

3510 (3) Any tax levied pursuant to this section shall be
 3511 separate and in addition to all other taxes, whether levied in
 3512 the form of excise, license, or privilege taxes.

3513 (4) Any person, firm, or corporation furnishing such
 3514 utility service and required to collect any such tax which
 3515 refuses to collect the tax or any portion thereof shall be
 3516 liable for and pay the tax.

3517 (5) Each person, firm, or corporation furnishing such
 3518 utility service to users in the district may be required by
 3519 resolution of the board of supervisors to keep accurate records
 3520 of the number of such users, the amount of tax collected, and
 3521 such other information as the board may require, and to submit
 3522 periodic reports of the same to the district or its agent for
 3523 collection, together with remittance of the tax. The board of
 3524 supervisors may prescribe the form of report and fix a date upon
 3525 which the report and tax shall be due.

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3526 (6) For the purpose of compensating the person, firm, or
 3527 corporation furnishing utility services hereunder for the
 3528 keeping of records prescribed and proper accounting and
 3529 remission, the board of supervisors is authorized to allow a
 3530 credit in an amount set by the board to be deducted from the
 3531 amount of the tax submitted.

3532 Section 28. Determining annual installments of drainage
 3533 taxes.-The board of supervisors shall determine, order, and levy
 3534 the amount of the annual installments of the total taxes levied
 3535 under s. 298.36, Florida Statutes, and amendments thereto, which
 3536 shall become due and be collected during each year.

3537 Section 29. Collection of ad valorem taxes; tax
 3538 discounts.-

3539 (1) The levy by the board of supervisors of the taxes
 3540 authorized by or referred to in sections 24 and 25 shall be by
 3541 resolution of the board entered upon the minutes of the board.
 3542 Certified copies of such resolution executed in the name of the
 3543 board by its chair, or such other officer as the board may
 3544 designate, under its corporate seal, shall be made and delivered
 3545 to the respective Boards of County Commissioners of Orange and
 3546 Osceola Counties not later than June 15 of each year in which
 3547 said taxes are levied. It shall be the duty of the respective
 3548 County Commissioners of Orange and Osceola Counties to order and
 3549 require the respective county property appraisers of said
 3550 counties to assess, and the respective county tax collectors of

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3551 said counties to collect, the amount of taxes so assessed or
 3552 levied by the board of supervisors upon the taxable property
 3553 within the district not exempt by law, at the rate of taxation
 3554 adopted by the board of supervisors for such year, and to
 3555 include in the warrant of the property appraisers and attach to
 3556 or show the same on the assessment roll of taxes for such year.
 3557 The tax collectors shall collect such taxes so levied by the
 3558 board of supervisors in the same manner as other taxes are
 3559 collected and shall pay the same to the board of supervisors
 3560 within the time and in the manner prescribed by law for the
 3561 payment by the tax collector of county taxes to the county
 3562 depository. The respective county tax collectors shall include
 3563 and state separately on the official county tax bill and receipt
 3564 each year the amount of district taxes. For their services
 3565 rendered hereunder, the respective county property appraisers
 3566 and tax collectors shall be compensated by the district as
 3567 prescribed by s. 298.401, Florida Statutes, and amendments
 3568 thereto.
 3569 (2) The ad valorem taxes referred to and provided for in
 3570 section 24 and the maintenance and special ad valorem
 3571 maintenance taxes referred to and provided for in section 25
 3572 shall be subject to the same discounts as county taxes. None of
 3573 the other taxes referred to or provided for in this act or
 3574 chapter 298, Florida Statutes, shall be subject to discounts for
 3575 early payment unless the board of supervisors so provides by

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3576 resolution adopted at the time of the levying or assessment
 3577 thereof. Except as otherwise provided in this act, all taxes
 3578 remaining unpaid after April 1 of the year following that for
 3579 which said taxes are levied shall be and become delinquent and
 3580 bear a penalty of 2 percent a month on the amount of said taxes
 3581 from the date of delinquency until paid. In computing said
 3582 penalty, each fractional part of a month shall be counted as a
 3583 full month.
 3584 Section 30. Tax liens; service charge liens.-
 3585 (1) All taxes of the district provided for in this act or
 3586 chapter 298, Florida Statutes, together with all penalties for
 3587 default in the payment of the same and all costs in collecting
 3588 the same, including reasonable attorney fees fixed by the court
 3589 and taxed as costs in the action brought to enforce payment,
 3590 shall, from January 1 for each year the property is liable to
 3591 assessment and until paid, constitute a lien of equal dignity
 3592 with the liens for state and county taxes and other taxes of
 3593 equal dignity with state and county taxes upon all the real and
 3594 personal property against which such taxes shall be levied. A
 3595 sale of any of the real property within the district for state
 3596 and county or other taxes shall not operate to relieve or
 3597 release the property so sold from the lien for subsequent
 3598 district taxes, or installments of district taxes, which lien
 3599 may be enforced against such property as though no such sale
 3600 thereof had been made.

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3601 (2) Charges and fees due or to become due under any
 3602 service agreements entered into by the district pursuant to
 3603 subsection (5) of section 17 shall constitute a lien of equal
 3604 dignity with district taxes, as provided for in subsection (1),
 3605 upon all the real and personal property to which such service
 3606 agreements relate or by which the same are secured, and the
 3607 provisions of subsection (1) shall be applicable to such charges
 3608 and fees.

3609 Section 31. Foreclosure of liens.-

3610 (1) Any lien in favor of the district arising under
 3611 chapter 298, Florida Statutes, or under this act may be
 3612 foreclosed by the district by bringing foreclosure proceedings
 3613 in the name of the district in the Circuit Court for the Ninth
 3614 Circuit in like manner as is provided in chapter 173, Florida
 3615 Statutes, and amendments thereto, and the provisions of said
 3616 chapter shall be applicable to such proceedings with the same
 3617 force and effect as if said provisions were expressly set forth
 3618 in this act. Any act required or authorized to be done by or on
 3619 behalf of a municipality in foreclosure proceedings under
 3620 chapter 173, Florida Statutes, may be performed by such officer
 3621 or agent of the district as the board of supervisors may
 3622 designate. Such foreclosure proceedings may be brought at any
 3623 time after the expiration of 1 year from the date any tax, or
 3624 installment thereof, becomes delinquent.

3625 (2) In any foreclosure action filed by the district

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3626 pursuant to this section, the district may join as a party
 3627 defendant Orange County or Osceola County, as the case may be,
 3628 for the purpose of determining the amount of their respective
 3629 tax liens. When a county is so joined in such a foreclosure
 3630 action, the judicial sale held in such action shall operate to
 3631 satisfy all county tax liens to the date of such sale, and the
 3632 net proceeds of such sale shall be applied first against
 3633 delinquent state and county taxes and thereafter against
 3634 delinquent district taxes on the property affected. The decree
 3635 of the court in any such foreclosure action shall operate to
 3636 quiet title to the property that is the subject of the action.

3637 Section 32. Payment of taxes and redemption of tax liens
 3638 by district; sharing in proceeds of tax sale under s. 197.542,
 3639 Florida Statutes.-

3640 (1) The district has the right to:

3641 (a) Pay any delinquent state, county, district, municipal,
 3642 or other tax or assessment upon lands located wholly or
 3643 partially within the boundaries of the district; and

3644 (b) Redeem or purchase any tax sales certificate issued or
 3645 sold on account of any state, county, district, municipal, or
 3646 other taxes or assessments upon lands located wholly or
 3647 partially within the boundaries of the district.

3648 (2) Delinquent taxes paid, or tax sales certificates
 3649 redeemed or purchased, by the district, together with all
 3650 penalties for the default in payment of the same and all costs

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3651 in collecting the same and reasonable attorney fees, shall
 3652 constitute a lien in favor of the district of equal dignity with
 3653 the liens of state and county taxes and other taxes of equal
 3654 dignity with state and county taxes, upon all the real property
 3655 against which said taxes were levied. The lien of the district
 3656 may be foreclosed in the manner provided in this act.

3657 (3) In any sale of land pursuant to s. 197.542, Florida
 3658 Statutes, and amendments thereto, the district may certify to
 3659 the clerk of the circuit court of the county holding such sale
 3660 the amount of taxes due to the district upon the lands sought to
 3661 be sold, and the district shall share in the disbursement of the
 3662 sales proceeds in accordance with the provisions of this act and
 3663 under law.

3664 Section 33. General obligation bonds.—

3665 (1) The district shall have the power from time to time to
 3666 issue general obligation bonds in an aggregate principal amount
 3667 of bonds outstanding at any one time not in excess of 50 percent
 3668 of the assessed value of the taxable property within the
 3669 district as shown on the pertinent tax records at the time of
 3670 the authorization of the general obligation bonds for which the
 3671 full faith and credit of the district is pledged. Except for
 3672 refunding bonds, no general obligation bonds shall be issued
 3673 unless the issuance thereof is approved by the qualified
 3674 electors of the district in accordance with the requirements for
 3675 such election as prescribed by the State Constitution, such

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3676 election to be called and held in the manner provided in the
 3677 State Constitution and Florida Statutes for such elections. Such
 3678 elections shall be called to be held in the district by the
 3679 respective Boards of County Commissioners of Orange and Osceola
 3680 Counties upon the request of the board of supervisors. The
 3681 expenses of calling and holding such referendum elections shall
 3682 be borne by the district, and the district shall reimburse the
 3683 Boards of County Commissioners of Orange and Osceola Counties,
 3684 as the case may be, for any expenses incurred by said boards in
 3685 calling or holding such elections. In the alternative, at its
 3686 option, the board of supervisors may make such other provision
 3687 for the registration of such qualified electors and the calling
 3688 and holding of such elections as the board from time to time
 3689 deems appropriate.

3690 (2) The district may pledge its full faith and credit for
 3691 the payment of the principal and interest on such general
 3692 obligation bonds, and for any reserve or other funds provided
 3693 therefor, and may unconditionally and irrevocably pledge itself
 3694 to levy ad valorem taxes on all taxable property in the
 3695 district, to the extent necessary for the payment thereof,
 3696 subject, however, to the limitations on the total amount of ad
 3697 valorem taxes that may be levied in any one year as specified in
 3698 section 24.

3699 (3) If the board of supervisors determines to issue
 3700 general obligation bonds for more than one different purpose,

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3701 the approval of the issuance of the bonds for each and all such
 3702 purposes may be submitted to the qualified electors on one and
 3703 the same ballot. The failure of the qualified electors to
 3704 approve the issuance of bonds for any one or more purposes shall
 3705 not defeat the approval of bonds for any purpose which shall be
 3706 approved by the qualified electors.

3707 Section 34. Revenue bonds.—

3708 (1) The district shall have the power to issue revenue
 3709 bonds from time to time without limitation as to amount. Such
 3710 revenue bonds may be secured by or payable from the gross or net
 3711 pledge of the revenues to be derived from any project or
 3712 combination of projects, from the rates, fees, fares, or other
 3713 charges to be collected from the users of any project or
 3714 projects, from any revenue-producing undertaking or activity of
 3715 the district, or from any other source or pledged security. Such
 3716 bonds shall not constitute an indebtedness of the district, and
 3717 the approval of the qualified electors shall not be required
 3718 unless such bonds are additionally secured by the full faith and
 3719 credit and taxing power of the district.

3720 (2) Any two or more projects may be combined and
 3721 consolidated into a single project and may thereafter be
 3722 operated and maintained as a single project. The revenue bonds
 3723 authorized herein may be issued to finance any one or more such
 3724 projects separately, or to finance two or more such projects,
 3725 regardless of whether such projects have been combined and

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3726 consolidated into a single project. If the board of supervisors
 3727 deems it advisable, the proceedings authorizing such revenue
 3728 bonds may provide that the district may thereafter combine the
 3729 projects then being financed or theretofore financed with other
 3730 projects to be subsequently financed by the district, and that
 3731 revenue bonds to be thereafter issued by the district shall be
 3732 on parity with the revenue bonds then being issued, all on such
 3733 terms, conditions, and limitations as shall be provided, and may
 3734 further provide that the revenues to be derived from the
 3735 subsequent projects shall at the time of the issuance of such
 3736 parity revenue bonds be also pledged to the holders of any
 3737 revenue bonds theretofore issued to finance the revenue
 3738 undertakings which are later combined with such subsequent
 3739 projects. The district may pledge for the security of the
 3740 revenue bonds a fixed amount, without regard to any fixed
 3741 proportion of the gross revenues of any project.

3742 Section 35. Utility service tax bonds.—The district shall
 3743 have the power to issue from time to time, without limitation as
 3744 to amount, bonds payable from the proceeds of any utility
 3745 service taxes or funds of the district, or any combination
 3746 thereof. Such bonds shall not constitute an indebtedness of the
 3747 district and the approval of the qualified electors shall not be
 3748 required unless such bonds are additionally secured by the full
 3749 faith and credit and taxing power of the district.

3750 Section 36. Issuance of additional bonds.—If the proceeds

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3751 of any bonds are less than the cost of completing the project in
 3752 connection with which such bonds are issued, the board of
 3753 supervisors may authorize the issuance of additional bonds, upon
 3754 such terms and conditions as the board may provide in the
 3755 resolution authorizing the issuance thereof, but only in
 3756 compliance with the resolution or other proceedings authorizing
 3757 the issuance of the original bonds.

3758 Section 37. Refunding bonds.—The district shall have the
 3759 power to issue bonds to provide for the retirement or refunding
 3760 of any bonds or obligations of the district that at the time of
 3761 such issuance are or subsequently thereto become due and
 3762 payable, or that at the time of issuance have been called or are
 3763 or will be subject to call for redemption within 10 years
 3764 thereafter, or the surrender of which can be procured from the
 3765 holders thereof at prices satisfactory to the board of
 3766 supervisors. Refunding bonds may be issued at any time when, in
 3767 the judgment of the board of supervisors, such issuance will be
 3768 advantageous to the district. No approval of the qualified
 3769 electors residing in the district shall be required for the
 3770 issuance of refunding bonds except in cases where such approval
 3771 is required by the State Constitution. The board of supervisors
 3772 may by resolution confer upon the holders of such refunding
 3773 bonds all rights, powers, and remedies to which the holders
 3774 would be entitled if they continued to be the owners and had
 3775 possession of the bonds for the refinancing of which said

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3776 refunding bonds are issued, including, but not limited to, the
 3777 preservation of the lien of such bonds on the revenues of any
 3778 project or on pledged funds, without extinguishment, impairment,
 3779 or diminution thereof. The provisions of this act pertaining to
 3780 bonds of the district shall, unless the context otherwise
 3781 requires, govern the issuance of refunding bonds, the form and
 3782 other details thereof, the rights of the holders thereof, and
 3783 the duties of the board of supervisors with respect thereto.

3784 Section 38. Pledging ad valorem taxes, assessments, and
 3785 other revenues and properties as additional security on bonds.—
 3786 The district may pledge as additional security for the payment
 3787 of any of the bonds of the district its full faith and credit
 3788 and ad valorem taxing power, and provide that such bonds shall
 3789 be payable as to both principal and interest, and as to any
 3790 reserve or other funds provided therefor, from ad valorem taxes
 3791 levied on the taxable real and tangible personal property in the
 3792 district, to the full extent that any revenues as defined in
 3793 section 17, taxes, assessments, or other funds, or any
 3794 combination thereof, pledged therefor are insufficient for the
 3795 full payment of the same, but subject to the limitations on the
 3796 total amount of ad valorem taxes that may be levied in any one
 3797 year specified in section 24, and provided further that no bonds
 3798 shall be issued to the payment of which the full faith and
 3799 credit and taxing power of the district is pledged unless
 3800 approved at an election in the manner provided by law. The

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3801 district, by resolution of the board of supervisors, may also
 3802 pledge as additional security for any bonds the revenues from
 3803 any project of the district, utility service taxes, assessments,
 3804 and any other sources of revenues or funds, or any combination
 3805 of the foregoing, and may pledge or mortgage any of the
 3806 properties, rights, interests, or other assets of the district,
 3807 and such pledge shall not require the submission to or approval
 3808 by the qualified electors of the district unless required by the
 3809 State Constitution. The board of supervisors may also provide
 3810 with respect to any bonds of the district that such bonds shall
 3811 be payable, in whole or in part, as to principal amount or
 3812 interest, or both, out of rates, fees, fares, service charges,
 3813 or other charges collected with respect to any of the projects
 3814 of the district.

3815 Section 39. Lien of pledges.—All pledges of revenues,
 3816 taxes, and assessments made pursuant to the provisions of this
 3817 act shall be valid and binding from the time when such pledges
 3818 are made. All such revenues, taxes, and assessments so pledged
 3819 and thereafter collected shall immediately be subject to the
 3820 lien of such pledges without any physical delivery thereof or
 3821 further action, and the lien of such pledges shall be valid and
 3822 binding as against all parties having claims of any kind in
 3823 tort, contract, or otherwise against the district, irrespective
 3824 of whether such parties have notice thereof.

3825 Section 40. Assessable improvements; levy and payment of

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3826 special assessments; assessment bonds and certificates.—The
 3827 district may provide for the construction or reconstruction of
 3828 assessable improvements, and for the levying of special
 3829 assessments upon benefited property for the payment thereof,
 3830 under the provisions of this section.

3831 (1) The initial proceeding under this section shall be the
 3832 passage by the board of supervisors of a resolution ordering the
 3833 construction or reconstruction of such assessable improvements,
 3834 indicating the location by terminal points, routes, or
 3835 otherwise, and either giving a description of the improvements
 3836 by their material, nature, character, and size or giving two or
 3837 more descriptions with the directions that the material, nature,
 3838 character, and size shall be subsequently determined in
 3839 conformity with one of such descriptions. Assessable
 3840 improvements need not be continuous and may be in more than one
 3841 locality or street. The resolution ordering any such improvement
 3842 may give any short and convenient designation to each
 3843 improvement ordered thereby, and the property against which
 3844 assessments are to be made for the cost of such improvement may
 3845 be designated as an assessment district, followed by a letter or
 3846 number or name to distinguish it from other assessment
 3847 districts, after which it shall be sufficient to refer to such
 3848 improvement and property by such designation in all proceedings
 3849 and assessments, except in the notices required by this section.

3850 (2) As soon as possible after the passage of such

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3851 resolution, the engineer for the district shall prepare, in
 3852 duplicate, plans and specifications for each improvement ordered
 3853 thereby and an estimate of the cost thereof. Such cost shall
 3854 include, in addition to the items of cost as defined in this
 3855 act, the cost of relaying streets, sidewalks, and other public
 3856 facilities or conveniences necessarily torn up or damaged and
 3857 the following items of incidental expenses:

3858 (a) Printing and publishing notices and proceedings;
 3859 (b) Costs of abstracts of title; and
 3860 (c) Any other expense necessary or proper in conducting
 3861 the proceedings and work provided for in this section, including
 3862 the estimated amount of discount, if any, upon the sale of
 3863 assessment bonds or any other obligations issued hereunder for
 3864 which such special assessments are to be pledged.

3865
 3866 If the resolution provides alternative descriptions of material,
 3867 nature, character, and size, such estimate shall include an
 3868 estimate of the cost of the improvement of each such
 3869 description. The engineer shall also prepare, in duplicate, a
 3870 tentative apportionment of the estimated total cost of the
 3871 improvement as between the district and each lot or parcel of
 3872 land subject to special assessment under the resolution, such
 3873 apportionment to be made in accordance with the provisions of
 3874 the resolution and in relation to apportionment of cost provided
 3875 herein for the preliminary assessment roll. Such tentative

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3876 apportionment of total estimated cost shall not be held to limit
 3877 or restrict the duties of the engineer in the preparation of
 3878 such preliminary assessment roll. One of the duplicates of such
 3879 plans, specifications, and estimates and such tentative
 3880 apportionment shall be filed with the board of supervisors, and
 3881 the other duplicate shall be retained by the engineer in his or
 3882 her files, all thereof to remain open to public inspection.

3883 (3) The board of supervisors, upon the filing with it of
 3884 such plans, specifications, estimates, and tentative
 3885 apportionment of cost, shall publish a notice stating that, at a
 3886 meeting of the board of supervisors on a certain day and hour
 3887 not earlier than 15 days after such publication, the board of
 3888 supervisors will hear objections of all interested persons to
 3889 the confirmation of such resolution, which notice shall state in
 3890 brief and general terms a description of the proposed assessable
 3891 improvements with the location thereof, and shall also state
 3892 that plans, specifications, estimates, and tentative
 3893 apportionment of cost thereof are on file with the board of
 3894 supervisors. Such notice shall be published as provided in
 3895 chapter 50, Florida Statutes. The board of supervisors shall
 3896 keep a record in which shall be inscribed, at the request of any
 3897 person, firm, or corporation having or claiming to have any
 3898 interest in any lot or parcel of land or property, the name and
 3899 post office address of such person, firm, or corporation,
 3900 together with a brief description or designation of such lot or

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3901 parcel, and it shall be the duty of the board of supervisors to
 3902 mail a copy of such notice to such person, firm, or corporation
 3903 at such address at least 10 days before the time for the hearing
 3904 as stated in such notice. However, the failure of the board of
 3905 supervisors to keep such record or to inscribe any name or
 3906 address or to mail any such notice shall not constitute a valid
 3907 objection to holding the hearing as provided in this section or
 3908 to any other action taken under the authority of this section.

3909 (4) At the time named in such notice, or to which an
 3910 adjournment may be taken by the board of supervisors, the board
 3911 shall receive any objections of interested persons and may then
 3912 or thereafter repeal or confirm such resolution with such
 3913 amendments, if any, as may be desired by the board and which do
 3914 not cause any additional property to be specially assessed.

3915 (5) All objections to any such resolution on the ground
 3916 that it contains items which cannot be properly assessed against
 3917 property, or that it is, for any default or defect in the
 3918 passage or character of the resolution or the plans or
 3919 specifications or estimates, void or voidable in whole or in
 3920 part, or that it exceeds the power of the board of supervisors,
 3921 shall be made in writing in person or by attorney and filed with
 3922 the board at or before the time or adjourned time of such
 3923 hearing. Any objections against the making of any assessable
 3924 improvements not so made shall be considered as waived, and if
 3925 any objection is made and overruled or not sustained, the

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3926 confirmation of the resolution shall be the final adjudication
 3927 of the issues presented unless an action is filed in the Circuit
 3928 Court for the Ninth Circuit to secure relief within 30 days
 3929 after the board's adoption of the resolution or its later
 3930 confirmation.

3931 (6) Whenever any resolution providing for the construction
 3932 or reconstruction of assessable improvements and for the levying
 3933 of special assessments upon benefited property for the payment
 3934 thereof is confirmed, as hereinabove provided, or at any time
 3935 thereafter, the board of supervisors may issue assessment bonds
 3936 payable out of such assessments when collected. Said bonds shall
 3937 mature not later than 2 years after the last installment in
 3938 which said special assessments may be paid, as provided in
 3939 subsection (10), and shall bear interest not exceeding 6 percent
 3940 per annum. Such assessment bonds shall be executed, shall have
 3941 such provisions for redemption prior to maturity, and shall be
 3942 sold in the manner and be subject to all of the applicable
 3943 provisions contained in this act for revenue bonds, except as
 3944 the same are inconsistent with the provisions of this section.
 3945 The amount of such assessment bonds for any assessable
 3946 improvement, after the confirmation of the initial resolution,
 3947 shall not exceed 70 percent of the estimated amount of the cost
 3948 of such assessable improvements which are to be specially
 3949 assessed against the land or property to be specially benefited
 3950 thereby, as shown in the estimates of the engineer for the

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3951 district referred to in subsection (2). The amount of such
 3952 assessment bonds for any assessable improvement to be issued,
 3953 after the confirmation of the preliminary assessment roll
 3954 provided for in subsection (9), including any assessment bonds
 3955 theretofore issued, shall not exceed the amount of special
 3956 assessments actually confirmed and levied by the board of
 3957 supervisors as provided in subsection (9). Such assessment bonds
 3958 shall be payable from the proceeds of the special assessments
 3959 levied for the assessable improvement for which such assessment
 3960 bonds are issued. However, the district may pledge the full
 3961 faith and credit of the district for the payment of the
 3962 principal of and interest on such assessment bonds if the
 3963 issuance of such assessment bonds is approved in the manner
 3964 provided by law.

3965 (7) After the passage of the resolution authorizing the
 3966 construction or reconstruction of assessable improvements has
 3967 been confirmed as provided in subsection (4), the district may
 3968 proceed with the construction or reconstruction work. Promptly
 3969 after the completion of the work, the engineer for the district,
 3970 who is hereby designated as the official of the district to make
 3971 preliminary assessment of benefits from assessable improvements,
 3972 shall prepare a preliminary assessment roll and file the same
 3973 with the board of supervisors, which roll shall contain the
 3974 following:

3975 (a) A description of the lots and parcels of land or

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3976 property within the district which will benefit from such
 3977 assessable improvements and the amount of such benefits to each
 3978 such lot or parcel of land or property, and the preliminary
 3979 assessment. Such lots and parcels shall include the property of
 3980 the county or counties, municipality or municipalities, and any
 3981 school district or other political subdivision within the
 3982 district. There shall also be given the name of the owner of
 3983 record of each lot or parcel, where practicable, and a statement
 3984 of the method of assessment used by such engineer.

3985 (b) The total cost of the improvement and the amount of
 3986 incidental expense. In making such preliminary assessments, the
 3987 engineer may use any method of determining the amount of special
 3988 benefits accruing to each lot or parcel of land or property from
 3989 such assessable improvements as are approved by the board of
 3990 supervisors. Such special benefits may be based on an acreage
 3991 assessment where benefits from such assessable improvements are
 3992 equal or nearly equal for lands or property in a particular
 3993 area, front footage, or any other factors which the board of
 3994 supervisors deems fair and equitable as between the different
 3995 lots or parcels of land or property benefited, whether improved
 3996 or unimproved. It shall be the duty of the engineer, in making
 3997 such preliminary assessment roll, to view all lots or parcels of
 3998 land or property to be assessed and to determine, for the
 3999 preliminary assessment roll, the amount of benefit which each
 4000 lot or parcel of land or property will receive from such

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4001 assessable improvements, under the method or methods prescribed
 4002 by the board of supervisors, or any combination thereof.

4003 (8) The preliminary roll shall be advisory only and shall
 4004 be subject to the action of the board of supervisors as
 4005 hereinafter provided. Upon the filing with the board of
 4006 supervisors of the preliminary assessment roll, the board shall
 4007 publish a notice stating that, at a meeting of the board of
 4008 supervisors to be held on a certain day and hour not less than
 4009 15 days after the date of such publication, which meeting may be
 4010 a regular, adjourned, or special meeting, all interested persons
 4011 may appear and file written objections to the confirmation of
 4012 such roll. Such notice shall be published as provided in chapter
 4013 50, Florida Statutes, and shall state the class of the
 4014 assessable improvements and the location thereof by terminal
 4015 points, route, or otherwise. The board of supervisors shall also
 4016 mail a copy of such notice to the persons, firms, or
 4017 corporations referred to in subsection (3) at least 10 days
 4018 before the time of the meeting as stated in such notice.
 4019 However, the failure of the board to mail any such notice shall
 4020 not constitute a valid objection to holding such meeting or to
 4021 any other action taken under the authority of this section.

4022 (9) At the time and place stated in such notice, the board
 4023 of supervisors shall meet and receive the objections in writing
 4024 of all interested persons as stated in such notice. The board of
 4025 supervisors may adjourn the hearing from time to time. After the

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4026 completion thereof, the board of supervisors shall either annul,
 4027 sustain, or modify, in whole or in part, the preliminary
 4028 assessment as indicated on such roll, either by confirming the
 4029 preliminary assessment against any or all lots or parcels
 4030 described therein or by cancelling, increasing, or reducing the
 4031 same, according to the special benefits which the board decides
 4032 each such lot or parcel has received or will receive on account
 4033 of such improvement. If any property chargeable under this
 4034 section is omitted from the preliminary roll, or if the
 4035 preliminary assessment is not made against it, the board of
 4036 supervisors may place on such roll an apportionment to such
 4037 property. The board of supervisors shall not confirm any
 4038 assessment in excess of the special benefits to the property
 4039 assessed, and the assessments so confirmed shall be in
 4040 proportion to the special benefits. The assessment so made shall
 4041 be final and conclusive as to each lot or parcel assessed
 4042 unless, within 30 days, an action is filed in the Circuit Court
 4043 for the Ninth Circuit to secure relief. If the assessment
 4044 against any property is sustained, reduced, or abated by the
 4045 court, the board of supervisors shall note that fact on the
 4046 assessment roll opposite the description of the property
 4047 affected thereby. The amount of the special assessment against
 4048 any lot or parcel which may be reduced or abated by the court,
 4049 unless the assessment upon the entire district is reduced or
 4050 abated, or the amount by which such assessment is so reduced or

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4051 abated, may by resolution of the board of supervisors be made
 4052 chargeable against the district at large; or, at the discretion
 4053 of the board, a new assessment roll may be prepared and
 4054 confirmed in the manner hereinabove provided for the preparation
 4055 and confirmation of the original assessment roll.

4056 (10) Any assessment may be paid at the office of the board
 4057 of supervisors within 60 days after the confirmation thereof,
 4058 without interest. Thereafter, all assessments shall be payable
 4059 at such times, over such period of years not exceeding 20 years,
 4060 and in such annual or other installments, with interest at such
 4061 rate not exceeding 8 percent per annum on the principal amount
 4062 of such assessments from the expiration of said 60 days, as the
 4063 board of supervisors determines by resolution. The board of
 4064 supervisors may provide that any assessment may be paid at any
 4065 time before due, together with interest accrued thereon to the
 4066 date of prepayment, if such prior payment is permitted by the
 4067 proceedings authorizing any assessment bonds or other
 4068 obligations for the payment of which such special assessments
 4069 have been pledged.

4070 (11) All such special assessments shall be collected by
 4071 the respective tax collectors for Orange and Osceola Counties,
 4072 as the case may be, in which event the last sentence of
 4073 subsection (1) of section 29 shall be applicable, or by such
 4074 other officer or agent as the board of supervisors may
 4075 designate, at such time or times as the board shall specify in

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4076 the proceedings authorizing or confirming the special
 4077 assessments, and if no other time is specified, then at the same
 4078 time as general county taxes are collected in Orange and Osceola
 4079 Counties.

4080 (12) All assessments shall constitute a lien upon the
 4081 property so assessed from the date of confirmation of the
 4082 resolution ordering the improvement, of the same nature and to
 4083 the same extent as the lien for general county taxes falling due
 4084 in the same year or years in which such assessments or
 4085 installments thereof fall due, and any assessment or installment
 4086 not paid when due shall be collectible with such interest and
 4087 with reasonable attorney fees and costs, but without penalties,
 4088 by the district by proceedings in the Circuit Court for the
 4089 Ninth Circuit to foreclose the lien of assessments as a lien for
 4090 mortgages is or may be foreclosed under the laws of the state;
 4091 provided that any such proceedings to foreclose shall embrace
 4092 all installments of principal remaining unpaid with accrued
 4093 interest thereon, which installments shall, by virtue of the
 4094 institution of such proceedings, immediately become due and
 4095 payable. Nevertheless, if, prior to any sale of the property
 4096 under decree of foreclosure in such proceedings, payment is made
 4097 of the installment or installments which are shown to be due
 4098 under the provisions of the resolution passed pursuant to
 4099 subsection (9) and by subsection (10), and all costs including
 4100 interest and attorney fees, such payment shall have the effect

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4101 of restoring the remaining installments to their original
 4102 maturities, and the proceedings shall be dismissed. It shall be
 4103 the duty of the district to enforce the prompt collection of
 4104 assessments by the means herein provided, and such duty may be
 4105 enforced at the suit of any holder of bonds issued under this
 4106 act in the Circuit Court for the Ninth Circuit by mandamus or
 4107 other appropriate proceedings or action. Not later than 30 days
 4108 after any installments are due and payable, it shall be the duty
 4109 of the board of supervisors to direct the attorney or attorneys
 4110 whom the board shall then designate to institute action within 2
 4111 months after such direction to enforce the collection of all
 4112 special assessments for assessable improvements made under this
 4113 section and remaining due and unpaid at the time of such
 4114 direction. Such action shall be prosecuted in a manner and under
 4115 the conditions in and under which mortgages are foreclosed under
 4116 the laws of the state. It shall be lawful to join in one action
 4117 the collection of assessments against any or all property
 4118 assessed by virtue of the same assessment roll unless the court
 4119 deems such joinder prejudicial to the interests of any
 4120 defendant. The court shall allow reasonable attorney fees for
 4121 the attorney or attorneys of the district, and the same shall be
 4122 collectible as a part of or in addition to the costs of the
 4123 action. At the sale pursuant to decree in any such action, the
 4124 district may be a purchaser to the same extent as an individual
 4125 person or corporation, except that the part of the purchase

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4126 price represented by the assessments sued upon and the interest
 4127 thereon need not be paid in cash. Property so acquired by the
 4128 district may be sold or otherwise disposed of, the proceeds of
 4129 such disposition to be placed in the fund provided by subsection
 4130 (13). However, no sale or other disposition thereof shall be
 4131 made unless the notice calling for bids therefor to be received
 4132 at a stated time and place is published at least once as
 4133 provided in chapter 50, Florida Statutes.
 4134 (13) All assessments and charges made under the provisions
 4135 of this section for the payment of all or any part of the cost
 4136 of any assessable improvements for which assessment bonds are
 4137 issued under the provisions of this law, or which have been
 4138 pledged as additional security for any other bonds or
 4139 obligations issued under this act, shall be maintained in a
 4140 special fund or funds and be used only for the payment of
 4141 principal of or interest on such assessment bonds or other bonds
 4142 or obligations.
 4143 (14) Orange and Osceola Counties, the municipalities, each
 4144 school district, and any other political subdivision wholly or
 4145 partly within the district shall possess the same power and be
 4146 subject to the same duties and liabilities in respect of the
 4147 special assessments under this section affecting the real estate
 4148 of such county, municipality, school district, or other
 4149 political subdivision which private owners of real estate
 4150 possess or are subject to hereunder, and such real estate of any

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4151 such county, municipality, school district, or political
 4152 subdivision shall be subject to liens for said assessments in
 4153 all cases where the same property would be subject to such liens
 4154 had it, at the time the lien attached, been owned by a private
 4155 owner.

4156 (15) Subject to the terms of any bonds or other
 4157 obligations payable from or secured by the assessments provided
 4158 for herein, the board of supervisors may at any time and from
 4159 time to time modify, in whole or in part, or revoke any plan or
 4160 specification for any assessable improvement. In connection with
 4161 the revision of any such plan or specification, benefits may be
 4162 reassessed or additional assessments made in accordance with the
 4163 provisions and procedures of this section. The board of
 4164 supervisors may at any time approve and make effective technical
 4165 changes and modifications of any plan for any improvement not
 4166 affecting the determination of assessed benefits or the security
 4167 of bond owners.

4168 Section 41. Issuance of certificates of indebtedness based
 4169 on assessments for assessable improvements; assessment bonds.—

4170 (1) The board of supervisors may, after any assessments
 4171 for assessable improvements are made, determined, and confirmed
 4172 as provided in section 40, issue certificates of indebtedness
 4173 for the amount so assessed against the abutting property or
 4174 property otherwise benefited, as the case may be, and separate
 4175 certificates shall be issued against each part or parcel of land

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4176 or property assessed, which certificates shall state the general
 4177 nature of the improvement for which the said assessment is made.
 4178 Said certificates shall be payable in annual installments or
 4179 otherwise in accordance with the installments of the special
 4180 assessments for which they are issued. The board of supervisors
 4181 may determine the interest to be borne by such certificates at a
 4182 rate no greater than 6 percent per annum and may sell such
 4183 certificates at either private or public sale and determine the
 4184 form, manner of execution, and other details of such
 4185 certificates. Such certificates shall recite that they are
 4186 payable only from the special assessments levied and collected
 4187 from the part or parcel of land or property against which they
 4188 are issued. The proceeds of such certificates may be pledged for
 4189 the payment of principal of and interest on any revenue bonds or
 4190 general obligation bonds issued to finance in whole or in part
 4191 such assessable improvement, or, if not so pledged, may be used
 4192 to pay the cost or part of the cost of such assessable
 4193 improvements.

4194 (2) The district may also issue assessment bonds or other
 4195 obligations payable from a special fund into which such
 4196 certificates of indebtedness referred to in subsection (1) may
 4197 be deposited; or, if such certificates of indebtedness have not
 4198 been issued, the district may assign to such special fund for
 4199 the benefit of the holders of such assessment bonds or other
 4200 obligations, or to a trustee for such bondholders, the

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4201 assessment liens provided for in section 40, unless such
 4202 certificates of indebtedness or assessment liens have been
 4203 theretofore pledged for any bonds or other obligations
 4204 authorized hereunder. In the event of the creation of such
 4205 special fund and the issuance of such assessment bonds or other
 4206 obligations, the proceeds of such certificates of indebtedness
 4207 or assessment liens deposited therein shall be used only for the
 4208 payment of the assessment bonds or other obligations issued as
 4209 provided in this section. The district is authorized to covenant
 4210 with the holders of such assessment bonds or other obligations
 4211 that it will diligently and faithfully enforce and collect all
 4212 the special assessments and interest and penalties thereon for
 4213 which such certificates of indebtedness or assessment liens have
 4214 been deposited in or assigned to such fund, and to foreclose
 4215 such assessment liens so assigned to such special fund or
 4216 represented by the certificates of indebtedness deposited in
 4217 said special fund, after such assessment liens have become
 4218 delinquent, and deposit the proceeds derived from such
 4219 foreclosure, including interest and penalties, in such special
 4220 fund, and to make any other covenants deemed necessary or
 4221 advisable in order to properly secure the holders of such
 4222 assessment bonds or other obligations.

4223 (3) The assessment bonds or other obligations issued
 4224 pursuant to this section shall have such dates of issue and
 4225 maturity as are deemed advisable by the board of supervisors.

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4226 However, the maturities of such assessment bonds or other
 4227 obligations shall not be more than 2 years after the due date of
 4228 the last installment which will be payable on any of the special
 4229 assessments for which such assessment liens, or the certificates
 4230 of indebtedness representing such assessment liens, are assigned
 4231 to or deposited in such special fund.

4232 (4) Such assessment bonds or other obligations issued
 4233 under this section shall bear interest at a rate not exceeding 6
 4234 percent per annum and shall be executed, shall have such
 4235 provisions for redemption prior to maturity, shall be sold in
 4236 the manner, and shall be subject to all of the applicable
 4237 provisions contained in this act for revenue bonds, except as
 4238 the same may be inconsistent with the provisions of this
 4239 section.

4240 (5) All assessment bonds or other obligations issued under
 4241 the provisions of this act, except certificates of indebtedness
 4242 issued against separate lots or parcels of land or property as
 4243 provided in this section, shall be and constitute and have all
 4244 the qualities and incidents of negotiable instruments under the
 4245 law merchant and the laws of the state.

4246 Section 42. Issuance of bond anticipation notes.—In
 4247 addition to the other powers provided for in this act and not in
 4248 limitation thereof, the district shall have the power, at any
 4249 time and from time to time after the issuance of any bonds of
 4250 the district is authorized, to borrow money for the purposes for

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4251 which such bonds are to be issued in anticipation of the receipt
 4252 of the proceeds of the sale of such bonds and to issue bond
 4253 anticipation notes in a principal amount not in excess of the
 4254 authorized maximum amount of such bond issue. Such notes shall
 4255 be in such denomination or denominations, bear interest at such
 4256 rate or rates not in excess of 6 percent per annum, mature at
 4257 such time or times not later than 5 years after the date of
 4258 issuance, be renewable for an additional term or terms in the
 4259 aggregate not in excess of 5 years after the date of first
 4260 renewal, and be in such form and executed in such manner as the
 4261 board of supervisors shall prescribe. Such notes may be sold at
 4262 either public or private sale or, if such notes are renewal
 4263 notes, may be exchanged for notes then outstanding on such terms
 4264 as the board of supervisors shall determine. Such notes shall be
 4265 paid from the proceeds of such bonds when issued. The board of
 4266 supervisors may in its discretion, in lieu of retiring the notes
 4267 by means of bonds, retire them by means of current revenues or
 4268 from any taxes or assessments levied for the payment of such
 4269 bonds, but in such event a like amount of the bonds authorized
 4270 shall not be issued.

4271 Section 43. Short-term borrowings.—The district at any
 4272 time may obtain loans, in such amount and on such terms and
 4273 conditions as the board of supervisors may approve, for the
 4274 purpose of paying any of the expenses of the district or any
 4275 costs incurred or that may be incurred in connection with any of

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4276 the projects of the district, which loans shall have a term not
 4277 exceeding 2 years from the date of issuance thereof, and may be
 4278 renewable for a like term or terms, shall bear interest in any
 4279 amount not in excess of 6 percent per annum, and may be payable
 4280 from and secured by a pledge of such funds, revenues, taxes, and
 4281 assessments as the board of supervisors may determine. For the
 4282 purpose of defraying such costs and expenses, the district may
 4283 issue negotiable notes, warrants, or other evidences of debt
 4284 signed on behalf of the district by any member of the board of
 4285 supervisors duly authorized by the board, such notes or other
 4286 evidences of indebtedness to be payable at such times, to bear
 4287 interest at a rate not exceeding 6 percent per annum, and to be
 4288 sold or discounted at such price or prices and on such terms as
 4289 the board may deem advisable. The board of supervisors shall
 4290 have the right to provide for the payment thereof by pledging
 4291 the whole or any part of the funds, revenues, taxes, and
 4292 assessments of the district. The approval of the qualified
 4293 electors residing in the district shall not be necessary except
 4294 where required by the State Constitution.

4295 Section 44. Trust agreements.—In the discretion of the
 4296 board of supervisors, any issue of bonds may be secured by a
 4297 trust agreement by and between the district and a corporate
 4298 trustee or trustees, which may be any trust company or bank
 4299 having the powers of a trust company within or outside the
 4300 state. The resolution authorizing the issuance of the bonds or

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4301 such trust agreement may pledge the revenues to be received from
 4302 any projects of the district and may contain such provisions for
 4303 protecting and enforcing the rights and remedies of the
 4304 bondholders as the board of supervisors may approve, including,
 4305 without limitation, covenants setting forth the duties of the
 4306 district in relation to the acquisition, construction,
 4307 reconstruction, improvement, maintenance, repair, operation, and
 4308 insurance of any projects, the fixing and revising of the rates,
 4309 fees, fares, and charges, and the custody, safeguarding, and
 4310 application of all moneys, and for the employment of counselling
 4311 engineers in connection with such acquisition, construction,
 4312 reconstruction, improvement, maintenance, repair, or operation.
 4313 It shall be lawful for any bank or trust company incorporated
 4314 under the laws of the state which may act as a depository of the
 4315 proceeds of bonds or of revenues to furnish such indemnifying
 4316 bonds or to pledge such securities as may be required by the
 4317 district. Such resolution or trust agreement may set forth the
 4318 rights and remedies of the bondholders and of the trustee, if
 4319 any, and may restrict the individual right of action by
 4320 bondholders. The board of supervisors may provide for the
 4321 payment of the proceeds of the sale of the bonds and the
 4322 revenues of any project to such officer, board, or depository as
 4323 it may designate for the custody thereof, and for the method of
 4324 disbursement thereof with such safeguards and restrictions as it
 4325 may determine. All expenses incurred in carrying out the

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4326 provisions of such resolution or trust agreement may be treated
 4327 as part of the cost of operation of the project to which such
 4328 trust agreement pertains.
 4329 Section 45. Sale of bonds.—Bonds may be sold in blocks or
 4330 installments at different times, or an entire issue or series
 4331 may be sold at one time. Bonds may be sold at public or private
 4332 sale after such advertisement, if any, as the board of
 4333 supervisors deems advisable but not in any event at less than 95
 4334 percent of the par value thereof, together with accrued interest
 4335 thereon. Bonds may be sold or exchanged for refunding bonds.
 4336 Special assessment and revenue bonds may be delivered as payment
 4337 by the district of the purchase price or lease of any project or
 4338 part thereof, or a combination of projects or parts thereof, or
 4339 as the purchase price or exchanged for any property, real,
 4340 personal, or mixed, including franchises, or services rendered
 4341 by any contractor, engineer, or other person, all at one time or
 4342 in blocks from time to time, in such manner and upon such terms
 4343 as the board of supervisors in its discretion shall determine.
 4344 The price or prices for any bonds sold, exchanged, or delivered
 4345 may be:
 4346 (1) The money paid for the bonds;
 4347 (2) The principal amount, plus accrued interest to the
 4348 date of redemption or exchange, of outstanding obligations
 4349 exchanged for refunding bonds;
 4350 (3) In the case of special assessment or revenue bonds,

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4351 the amount of any indebtedness to contractors or other persons
 4352 paid with such bonds; or
 4353 (4) The fair value of any properties exchanged for the
 4354 bonds, as determined by the board of supervisors.
 4355 Section 46. Authorization and form of bonds.—Bonds may be
 4356 authorized by resolution or resolutions of the board of
 4357 supervisors which shall be adopted by a majority of all of the
 4358 members thereof then in office. Such resolution or resolutions
 4359 may be adopted at the same meeting at which they are introduced
 4360 and need not be published or posted. The board of supervisors
 4361 may by resolution authorize the issuance of bonds and fix the
 4362 aggregate amount of bonds to be issued, the purpose or purposes
 4363 for which the moneys derived therefrom shall be expended, the
 4364 rate or rates of interest, which shall not exceed 6 percent per
 4365 annum, the denomination of the bonds, regardless of whether the
 4366 bonds are to be issued in one or more series, the date or dates
 4367 thereof, the date or dates of maturity, which shall not exceed
 4368 40 years from their respective dates of issuance, the medium of
 4369 payment, the place or places within or outside the state where
 4370 payment shall be made, registration privileges, redemption terms
 4371 and privileges (whether with or without premium), the manner of
 4372 execution, the form of the bonds, including any interest coupons
 4373 to be attached thereto, the manner of execution of bonds and
 4374 coupons, and any and all other terms, covenants, and conditions
 4375 thereof, and the establishment of reserve or other funds. Such

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4376 authorizing resolution may further provide that such bonds may
 4377 be executed manually or by engraved, lithographed, or facsimile
 4378 signature, provided that where signatures are engraved,
 4379 lithographed, or facsimile, no bond shall be valid unless
 4380 countersigned by a registrar or other officer designated by
 4381 appropriate resolution of the board of supervisors. The seal of
 4382 the district may be affixed, lithographed, engraved, or
 4383 otherwise reproduced in facsimile on such bonds. In case any
 4384 officer whose signature or a facsimile of whose signature
 4385 appears on any bonds or coupons ceases to be such officer before
 4386 the delivery of such bonds, such signature or facsimile shall
 4387 nevertheless be valid and sufficient for all purposes the same
 4388 as if he or she had remained in office until such delivery.
 4389 Section 47. Increase in maximum allowable interest on
 4390 district bonds.—Anything in this act or the laws of the state to
 4391 the contrary notwithstanding, if at any time and from time to
 4392 time the general laws of the state permit the counties,
 4393 municipalities, or political subdivisions of the state, or any
 4394 of them, to issue general obligation, revenue, assessment, or
 4395 other bonds bearing interest in an amount or at a rate in excess
 4396 of 6 percent per annum, then the maximum allowable interest on
 4397 any bonds of the district that may be issued during the
 4398 effective period of such general law shall be the maximum amount
 4399 or rate permitted under such general law.
 4400 Section 48. Interim certificates; replacement

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4401 certificates.-Pending the preparation of definitive bonds, the
 4402 board of supervisors may issue interim certificates or receipts
 4403 or temporary bonds, in such form and with such provisions as the
 4404 board may determine, exchangeable for definitive bonds when such
 4405 bonds have been executed and are available for delivery. The
 4406 board of supervisors may also provide for the replacement of any
 4407 bonds that become mutilated or are lost or destroyed.

4408 Section 49. Negotiability of bonds.-Any bond issued under
 4409 this act and any interim certificate, receipt, or temporary bond
 4410 shall, in the absence of an express recital on the face thereof
 4411 that it is nonnegotiable, be fully negotiable and shall be and
 4412 constitute negotiable instruments within the meaning and for all
 4413 purposes of the law merchant and the laws of the state.

4414 Section 50. Defeasance.-The board of supervisors may make
 4415 such provision with respect to the defeasance of the right,
 4416 title, and interest of the holders of any of the bonds and
 4417 obligations of the district in any revenues, funds, or other
 4418 properties by which such bonds are secured as the board deems
 4419 appropriate and, without limitation on the foregoing, may
 4420 provide that when such bonds or obligations become due and
 4421 payable or shall have been called for redemption, and the whole
 4422 amount of the principal and the interest and premium, if any,
 4423 due and payable upon the bonds or obligations then outstanding
 4424 shall be paid, or sufficient moneys or direct obligations of the
 4425 United States Government the principal of and the interest on

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4426 which when due will provide sufficient moneys, shall be held or
 4427 deposited in trust for such purpose, and provision shall also be
 4428 made for paying all other sums payable in connection with such
 4429 bonds or other obligations, then and in such event the right,
 4430 title, and interest of the holders of the bonds in any revenues,
 4431 funds, or other properties by which such bonds are secured shall
 4432 thereupon cease, determine, and become void, and the board of
 4433 supervisors may apply any surplus in any sinking fund
 4434 established in connection with such bonds or obligations and all
 4435 balances remaining in all other funds or accounts other than
 4436 money held for the redemption or payment of the bonds or other
 4437 obligations to any lawful purpose of the district as the board
 4438 shall determine.

4439 Section 51. Bonds as legal investment or security.-
 4440 Notwithstanding any provisions of any other law to the contrary,
 4441 all bonds issued under the provisions of this act shall
 4442 constitute legal investments for savings banks, banks, trust
 4443 companies, insurance companies, executors, administrators,
 4444 trustees, guardians, and other fiduciaries, and for any board,
 4445 body, agency, instrumentality, county, municipality, or other
 4446 political subdivision of the state, and shall be and constitute
 4447 securities which may be deposited by banks or trust companies as
 4448 security for deposits of state, county, municipal, or other
 4449 public funds, or by insurance companies as required or voluntary
 4450 statutory deposits.

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4451 Section 52. Agreements with Division of Bond Finance and
 4452 others.—The board of supervisors shall have the power to retain
 4453 and enter into agreements with fiscal agents, financial
 4454 advisers, the Division of Bond Finance of the State Board of
 4455 Administration, engineers, and other consultants or advisers
 4456 with respect to the issuance and sale of any bonds, and the cost
 4457 and expense thereof may be treated as part of the cost and
 4458 expense of such project. The board of supervisors shall engage
 4459 the Division of Bond Finance in connection with the structure,
 4460 management, and execution of debt issuances including, but not
 4461 limited to, direct placements, bank loans, private placements,
 4462 and limited or public offerings of debt.

4463 Section 53. Covenants.—Any resolution authorizing the
 4464 issuance of bonds may contain such covenants as the board of
 4465 supervisors may deem advisable, and all such covenants shall
 4466 constitute valid and legally binding and enforceable contracts
 4467 between the district and the bondholders, regardless of the time
 4468 of issuance thereof. Such covenants may include, without
 4469 limitation, covenants concerning the disposition of the bond
 4470 proceeds, the use and disposition of project revenues, the
 4471 pledging of revenues, taxes, and assessments, the obligations of
 4472 the district with respect to the operation of the project and
 4473 the maintenance of adequate project revenues, the issuance of
 4474 additional bonds, the appointment, powers, and duties of
 4475 trustees and receivers, the acquisition of outstanding bonds and

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4476 obligations, restrictions on the establishing of competing
 4477 projects or facilities, restrictions on the sale or disposal of
 4478 the assets and property of the district, the priority of
 4479 assessment liens, the priority of claims by bondholders on the
 4480 taxing power of the district, the maintenance of deposits to
 4481 ensure the payment of revenues by users of district facilities
 4482 and services, the discontinuance of district services by reason
 4483 of delinquent payments, acceleration upon default, the execution
 4484 of necessary instruments, the procedure for amending or
 4485 abrogating covenants with the bondholders, and such other
 4486 covenants as may be deemed necessary for the security of the
 4487 bondholders.

4488 Section 54. Validity of bonds; validation proceedings.—
 4489 (1) Any bonds issued by the district shall be
 4490 incontestable in the hands of bona fide purchasers or holders
 4491 for value and shall not be invalid because of any irregularity
 4492 or defects in the proceedings for the issue and sale thereof.
 4493 Prior to the issuance of any bonds, the district may, but is not
 4494 required to, publish a notice as provided in chapter 50, Florida
 4495 Statutes, stating the date of adoption of the resolution
 4496 authorizing such obligations, the amount, maximum rate of
 4497 interest, and maturity of such obligations, and the purpose in
 4498 general terms for which such obligations are to be issued, and
 4499 further stating that any action or proceeding questioning the
 4500 validity of such obligations or of the proceedings authorizing

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4501 the issuance thereof, or of any covenants made therein, must be
 4502 instituted within 30 days after the first publication of such
 4503 notice, or the validity of such obligations, proceedings, and
 4504 covenants shall not be thereafter questioned in any court
 4505 whatsoever. If no such action or proceeding is so instituted
 4506 within such 30-day period, then the validity of such
 4507 obligations, proceedings, and covenants shall be conclusive, and
 4508 all persons or parties whatsoever shall be forever barred from
 4509 questioning the validity of such obligations, proceedings, or
 4510 covenants in any court whatsoever.

4511 (2) The power of the district to issue bonds under the
 4512 provisions of this act may be determined, and any of the bonds
 4513 of the district may be validated and confirmed, by circuit court
 4514 decree, under the provisions of chapter 75, Florida Statutes,
 4515 and laws amendatory thereof or supplementary thereto.

4516 Section 55. Act furnishes full authority for issuance of
 4517 bonds.-This act constitutes full and complete authority for the
 4518 issuance of bonds and the exercise of the powers of the district
 4519 provided herein. The powers conferred by this act on the
 4520 district with respect to the issuance and sale of bonds shall be
 4521 in addition and supplemental to the powers conferred by any
 4522 other law.

4523 Section 56. Tax exemption.-As the exercise of the powers
 4524 conferred by this act to effect the purposes of this act
 4525 constitute the performance of essential public functions, and as

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4526 the projects of the district will constitute public property
 4527 used for public purposes, all assets and properties of the
 4528 district, and all bonds issued hereunder and interest paid
 4529 thereon, and all fees, charges, and other revenues derived by
 4530 the district from the projects provided for by this act shall be
 4531 exempt from all taxes by the state or by any political
 4532 subdivision, agency, or instrumentality thereof, provided,
 4533 however, that nothing in this act shall be deemed to exempt from
 4534 taxation any property, project, facility, business activity, or
 4535 enterprise that cannot validly be undertaken as a public
 4536 function by special taxing districts or other public bodies
 4537 under the laws and Constitution of the State of Florida, and
 4538 provided further that nothing in this act shall be deemed to
 4539 exempt any property, project, facility, business activity, or
 4540 enterprise of the district, or revenues derived therefrom, which
 4541 would be subject to taxation under the general laws of the State
 4542 of Florida if such property, project, or facility were owned or
 4543 undertaken by a municipal corporation.

4544 Section 57. Pledge by State of Florida to bondholders of
 4545 district and to Federal Government.-

4546 (1) For all bonds and other obligations issued before the
 4547 effective date of this act, the State of Florida pledges to the
 4548 holders of any bonds issued under this act that it will not
 4549 limit or alter the rights of the district to own, acquire,
 4550 construct, reconstruct, improve, maintain, operate, or furnish

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4551 the projects or to levy and collect the taxes, assessments,
 4552 rentals, rates, fees, fares, and other charges provided for
 4553 herein and to fulfill the terms of any agreement made with the
 4554 holders of such bonds or other obligations, that it will not in
 4555 any way impair the rights or remedies of the holders, and that
 4556 it will not modify in any way the exemption from taxation
 4557 provided in this act, until all such bonds, together with
 4558 interest thereon, and all costs and expenses in connection with
 4559 any action or proceeding by or on behalf of such holders, are
 4560 fully met and discharged. The State of Florida pledges to and
 4561 agrees with the Federal Government that in the event the Federal
 4562 Government or any agency or authority thereof shall construct or
 4563 contribute any funds, materials, or property for the
 4564 construction, acquisition, extension, improvement, enlargement,
 4565 maintenance, operation, or furnishing of any of the projects of
 4566 the district, or any part thereof, the state will not alter or
 4567 limit the rights and powers of the district in any manner which
 4568 would be inconsistent with the continued maintenance and
 4569 operation of such project, or any part thereof, or the
 4570 improvement thereof, or which would be inconsistent with the due
 4571 performance of any agreements between the district and the
 4572 Federal Government, and the district shall continue to have and
 4573 may exercise all powers herein granted so long as the board of
 4574 supervisors deems the same necessary or desirable for the
 4575 carrying out of the purposes of this act and the purposes of the

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4576 Federal Government in the construction, acquisition, extension,
 4577 improvement, enlargement, maintenance, operation, or furnishing
 4578 of any of the projects of the district, or any part thereof.
 4579 (2) For all bonds and other obligations issued on or after
 4580 the effective date of this act, the State of Florida pledges to
 4581 the holders of any bonds issued under this act that it will not
 4582 limit or alter the rights of the district to own, acquire,
 4583 construct, reconstruct, improve, maintain, operate, or furnish
 4584 the projects or to levy and collect the taxes, assessments,
 4585 rentals, rates, fees, fares, and other charges provided for
 4586 herein and to fulfill the terms of any agreement made with the
 4587 holders of such bonds or other obligations, that it will not in
 4588 any way impair the rights or remedies of the holders, and that
 4589 it will not modify in any way the exemption from taxation
 4590 provided in this act, until all such bonds, together with
 4591 interest thereon, and all costs and expenses in connection with
 4592 any action or proceeding by or on behalf of such holders, are
 4593 fully met and discharged.
 4594 Section 58. Cooperative agreements with certain
 4595 municipalities.—
 4596 (1) The board of supervisors may undertake and finance any
 4597 of the projects of the district, in whole or in part, with any
 4598 municipality now existing or hereafter created within the
 4599 district or in any other manner combine the projects of the
 4600 district with the projects of such municipality or

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4601 municipalities on such terms and conditions as the board of
 4602 supervisors shall approve, and the provisions of this act,
 4603 including, without limitation, the provisions for the financing
 4604 of district projects through bond issues, shall be applicable to
 4605 such projects.

4606 (2) Any agreement of the type authorized by this section
 4607 may be made and entered into pursuant to this act for such time
 4608 or times, not exceeding 40 years, as shall be agreed by the
 4609 parties thereto or for such longer time as any bonds of any of
 4610 the contracting parties, including refunding bonds, remain
 4611 outstanding and unpaid, and may contain such details, terms,
 4612 provisions, and conditions as shall be agreed upon by the
 4613 parties thereto. Any such agreement may be made and entered into
 4614 for the benefit of the holders of any bonds of the district as
 4615 well as the parties thereto and in such event shall be
 4616 enforceable in any court of competent jurisdiction by the
 4617 holders of any such bonds or of the coupons appertaining
 4618 thereto.

4619 Section 59. Contracts, grants, and contributions.—The
 4620 district shall have the power to make and enter all contracts
 4621 and agreements necessary or incidental to the performance of the
 4622 functions of the district and the execution of its powers, and
 4623 to contract with, and to accept and receive grants or loans of
 4624 money, material, or property from, any person, private or public
 4625 corporation, the state or any agency or instrumentality thereof,

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4626 any county, municipality, or other political subdivision, or any
 4627 agency, instrumentality, or corporation of or created by the
 4628 United States of America, or the United States of America, as
 4629 the board of supervisors shall determine to be necessary, or as
 4630 otherwise authorized by general law or this act, to carry out
 4631 the purposes of this act, and in connection with any such
 4632 contract, grant, or loan to stipulate and agree to such
 4633 covenants, terms, and conditions as the board deems appropriate.

4634 Section 60. Effect of annexation of lands to and exclusion
 4635 of lands from district.—

4636 (1) Land, including property situated thereon, added to
 4637 the district shall from the time of its inclusion within the
 4638 district be subject to all of the taxes and assessments
 4639 thereafter levied and assessed on other land or property of the
 4640 district similarly situated. Land or property excluded from the
 4641 district shall from the date of such exclusion be exempt from
 4642 taxes or assessments thereafter imposed by the district but
 4643 shall not be exempt from any taxes or assessments theretofore
 4644 levied and due with respect to such land or property, or from
 4645 subsequent installments of taxes or assessments theretofore
 4646 levied or assessed with respect thereto, and such taxes or
 4647 assessments may be enforced and collected by or on behalf of the
 4648 district in the same manner as if such land or property
 4649 continued to be within the territorial limits of the district.

4650 (2) Nothing in this section shall permit the annexation or

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4651 exclusion of lands contrary to the terms, covenants, or
 4652 conditions of any of the bonds or obligations of the district,
 4653 or in any manner that would impair the security of the holders
 4654 of any bonds or other obligations of the district.
 4655 Section 61. Construction of district projects.—The
 4656 Legislature finds and declares that in order to accomplish the
 4657 purposes of this act, it is essential that the board of
 4658 supervisors have discretion and authority with respect to the
 4659 manner in which the construction of the projects of the
 4660 district, including, but not limited to, projects financed by
 4661 district bonds, taxes, or assessments, shall be undertaken. The
 4662 board of supervisors shall have power and authority to acquire,
 4663 construct, reconstruct, extend, repair, improve, maintain, and
 4664 operate any of the projects of the district, and to that end to
 4665 employ contractors, to purchase machinery, to employ machinery
 4666 operators, and directly to have charge of and construct the
 4667 projects of the district in such manner as the board may
 4668 determine. The district may undertake any construction work with
 4669 its own resources, without public advertisement for bids.
 4670 However, if the district does not use its own resources to
 4671 undertake any construction work, the board of supervisors must
 4672 let contracts for the projects of the district, either as a
 4673 whole or in sections, with public advertising and the receiving
 4674 of bids, all on such terms and conditions as the board may deem
 4675 appropriate. The board of supervisors shall let the contract to

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4676 the lowest responsible and responsive bidder. However, the board
 4677 may in its discretion reject any and all bids.
 4678 Section 62. Enforcement and penalties.—
 4679 (1) The board of supervisors or any aggrieved person may
 4680 have recourse to such civil remedies as may be necessary to
 4681 ensure compliance with the provisions of this act, including
 4682 injunctive relief to enjoin or restrain any person violating the
 4683 provisions of this act, and any bylaws, resolutions,
 4684 regulations, rules, codes, and orders adopted under this act,
 4685 and the court shall, upon proof of such violation, have the duty
 4686 to issue forthwith such temporary and permanent injunctions as
 4687 are necessary to prevent such further violation thereof. In case
 4688 any building or structure is erected, constructed,
 4689 reconstructed, altered, repaired, converted, or maintained, or
 4690 any building, structure, land, or water is used, in violation of
 4691 this act, or of any code, order, resolution, or other regulation
 4692 made under authority conferred by this act or under law, the
 4693 board of supervisors and any person residing in the district may
 4694 institute any appropriate action or proceeding to prevent such
 4695 unlawful erection, construction, reconstruction, alteration,
 4696 repair, conversion, maintenance, or use, to restrain, correct or
 4697 avoid such violation, to prevent the occupancy of such building,
 4698 structure, land, or water, and to prevent any illegal act,
 4699 conduct, business, or use in or about such premises, land, or
 4700 water.

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4701 (2) The district shall have the standing and authority to
 4702 challenge, by an action in a court of proper jurisdiction, any
 4703 action, contract, resolution, ordinance, code, or regulation of
 4704 the City of Bay Lake or the City of Lake Buena Vista that
 4705 violates this act.

4706 Section 63. Investment of funds.—The board of supervisors
 4707 may in its discretion invest funds of the district as provided
 4708 in s. 218.415, Florida Statutes.

4709 Section 64. Severability of provisions.—If any section,
 4710 clause, sentence, or provision of this act, or the application
 4711 of such section, clause, sentence, or provision to any persons
 4712 or bodies or under any circumstances, is held to be inoperative,
 4713 invalid, or unconstitutional, the invalidity of such section,
 4714 clause, sentence, or provision shall not be deemed, held, or
 4715 taken to affect the validity or constitutionality of any of the
 4716 remaining parts of this act, or the application of any of the
 4717 provisions of this act to persons or bodies or in circumstances
 4718 other than those as to which it or any part thereof is held
 4719 inoperative, invalid, or unconstitutional, and it is intended
 4720 that this act shall be construed and applied as if any section,
 4721 clause, sentence, or provision held inoperative, invalid, or
 4722 unconstitutional had not been included in this act.

4723 Section 3. The offices and terms of all members of the
 4724 Board of Supervisors of the Reedy Creek Improvement District
 4725 existing as of the effective date of this act shall end as of

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4726 the effective date of this act, but such members may continue to
 4727 serve until a successor in office is appointed and qualified.
 4728 Until successors are appointed and qualified to replace all of
 4729 the members of the board of supervisors existing as of the
 4730 effective date of this act, board members, officers, and
 4731 employees of the district may not sell, dispose of, encumber,
 4732 transfer, or expend the assets of the district as such assets
 4733 existed on the effective date of this act, other than in the
 4734 ordinary course of business.

4735 Section 4. The provisions of this act shall be liberally
 4736 construed to effect its purposes and shall be deemed cumulative,
 4737 supplemental, and alternative authority for the exercise of the
 4738 powers provided herein.

4739 Section 5. Chapter 67-764, Laws of Florida, and the decree
 4740 in chancery No. 66-1061 entered by the Circuit Court in and for
 4741 the Ninth Judicial Circuit of the State of Florida on May 13,
 4742 1966, creating and incorporating the Reedy Creek Drainage
 4743 District as a public corporation of the State of Florida, are
 4744 repealed.

4745 Section 6. Notwithstanding the repeal of the decree and
 4746 chancery No. 66-1061, the stipulation dated September 29, 1966,
 4747 by and between the Reedy Creek Drainage District and Orange
 4748 County, filed and entered in the proceeding then pending in the
 4749 Circuit Court of the Ninth Judicial Circuit in and for Orange
 4750 County, Florida, being Case No. Chancery 66-1061, shall continue

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4751 to be effective and binding on the Reedy Creek Improvement
 4752 District, now known as the Central Florida Tourism Oversight
 4753 District, and Orange County and applicable to any plan of
 4754 reclamation now or hereafter adopted by the Central Florida
 4755 Tourism Oversight District unless and until revised or
 4756 terminated by agreement of the parties thereto.
 4757 Section 7. Notwithstanding s. 189.0311(2), Florida
 4758 Statutes, the Reedy Creek Improvement District is not dissolved
 4759 as of June 1, 2023, but continues in full force and effect under
 4760 its new name.
 4761 Section 8. This act shall take effect upon becoming a law.



SENATOR COLLEEN BURTON
12th District

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

A large, stylized handwritten signature in blue ink, likely belonging to Senator Colleen Burton.

COMMITTEES:
Health Policy, *Chair*
Judiciary, *Vice Chair*
Appropriations Committee on Education
Appropriations Committee on Health
and Human Services
Banking and Insurance
Fiscal Policy
Rules
Transportation

JOINT COMMITTEE:
Joint Administrative Procedures Committee

February 9, 2023

The Honorable Debbie Mayfield
The Florida Senate
400 Senate Building
404 South Monroe Street
Tallahassee, FL 32399

Chair Mayfield,

I respectfully request excusal from the Rules Committee meeting on Friday, February 10th. If you have any questions please do not hesitate to reach out to myself or my office.

Thank you for your consideration.

Regards,

A handwritten signature in black ink that reads "Colleen Burton".

Colleen Burton
State Senator, District 12

CC: Philip Twogood, Staff Director
Shasta W. Kruse, Deputy Staff Director
Cynthia Futch, Committee Administrative Assistant

REPLY TO:

- ☐ 100 South Kentucky Avenue, Suite 260, Lakeland, Florida 33801 (863) 413-1529
- ☐ 318 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5012

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Committee on Education, *Vice Chair*
Commerce and Tourism
Education Postsecondary
Education Pre-K -12
Finance and Tax
Fiscal Policy
Regulated Industries
Rules

SENATOR SHEVRIN D. "SHEV" JONES
District 34

A handwritten signature in blue ink, appearing to be "Shev D. Jones", written in a cursive style.

February 9, 2023

Hon. Debbie Mayfield
Chair, Senate Rules Committee
400 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

To Whom it May Concern,

I respectfully request an excused absence from the sitting of the Rules Committee scheduled for tomorrow, Friday, February 10, 2023.

Thank you in advance for your consideration of this request. If I may be of assistance to answer any questions, comments, or concerns, please do not hesitate to contact me or my office.

Sincerely,

A handwritten signature in black ink, appearing to be "Shev D. Jones", written in a cursive style.

Shev D. "Shev" Jones
Florida State Senator – Senate District 34

REPLY TO:

☐ Capitol Office, 218 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 · (850) 487-5034
☐ District Office, 606 NW 183rd Street, Miami Gardens, FL 33169 · (305) 493-6002

Website: www.flsenate.gov/Senators/S34

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore

CourtSmart Tag Report

Room: KB 412
Caption: Senate Rules Committee

Case No.: -
Judge:

Type:

Started: 2/10/2023 9:01:54 AM

Ends: 2/10/2023 9:48:41 AM

Length: 00:46:48

9:02:13 AM	Chair Mayfield calls meeting to order
9:02:17 AM	Roll call by CAA
9:02:54 AM	Quorum announced
9:03:00 AM	Senators excused-Jones and Burton
9:03:04 AM	Pledge of Allegiance
9:03:28 AM	Chair with opening comments
9:04:01 AM	Tab 1 HB 7-B Intercollegiate Athlete Compensation and Rights
9:04:24 AM	Senator Hutson explains the bill
9:05:47 AM	Questions
9:05:51 AM	Senator Osgood
9:06:12 AM	Senator Hutson
9:06:36 AM	Senator Osgood
9:07:11 AM	Senator Hutson
9:08:11 AM	Senator Osgood
9:08:28 AM	Senator Broxson
9:08:57 AM	Senator Hutson
9:10:22 AM	Senator Torres
9:10:43 AM	Senator Simon
9:12:14 AM	Senator Torres
9:12:17 AM	Senator Book
9:12:57 AM	Senator Hutson
9:14:23 AM	Debate
9:14:29 AM	Senator Simon
9:17:54 AM	Senator Osgood
9:19:27 AM	Senator Book
9:20:34 AM	Chair Mayfield
9:23:01 AM	Senator Hutson closes
9:23:37 AM	Roll call
9:23:54 AM	HB 7-B is reported favorably
9:24:20 AM	Tab 2 HB 11-B Sunshine Water Control District, Broward County
9:24:36 AM	Senator Hutson explains the bill
9:25:09 AM	Questions
9:25:13 AM	Appearance Forms
9:25:17 AM	Chris Lyons, Sunshine Water Control District, waives in support
9:25:30 AM	Debate
9:25:33 AM	Senator Hutson waives close
9:25:40 AM	Roll call
9:26:23 AM	HB 11-B is reported favorably
9:26:29 AM	Tab 3 HB 13-B Eastpoint Water and Sewer District, Franklin County
9:26:40 AM	Senator Hutson explains the bill
9:26:59 AM	Questions
9:27:03 AM	Appearance Form
9:27:04 AM	Chris Lyons, Eastpoint Water and Sewer District, waives in support
9:27:12 AM	Debate
9:27:17 AM	Senator Hutson waives close
9:27:23 AM	Roll call
9:27:56 AM	HB 13-B is reported favorably
9:28:05 AM	Tab 4 CS/HB 9-B Reedy Creek Improvement District, Orange and Osceola Counties
9:28:21 AM	Senator Hutson explains the bill
9:29:01 AM	Questions
9:29:07 AM	Senator Torres
9:29:29 AM	Senator Hutson

9:29:43 AM	Senator Torres
9:30:04 AM	Senator Hutson
9:30:27 AM	Senator Torres
9:30:35 AM	Senator Hutson
9:31:08 AM	Senator Torres
9:31:28 AM	Senator Hutson
9:31:54 AM	Senator Torres
9:32:22 AM	Senator Hutson
9:32:37 AM	Senator Book
9:33:05 AM	Senator Hutson
9:33:39 AM	Senator Book
9:34:02 AM	Senator Hutson
9:35:49 AM	Senator Book
9:36:01 AM	Senator Hutson
9:36:52 AM	Senator Rouson
9:37:23 AM	Senator Hutson
9:38:03 AM	Senator Rouson
9:38:46 AM	Senator Hutson
9:40:53 AM	Debate
9:40:59 AM	Senator Torres
9:42:26 AM	Senator Baxley
9:45:34 AM	Chair Mayfield
9:47:17 AM	Senator Hutson waives close
9:47:21 AM	Roll call
9:47:22 AM	CS/HB 9-B is reported favorably
9:48:26 AM	Senator Perry moves to adjourn
9:48:30 AM	Meeting adjourned