

**STORAGE NAME:** h1285.ca

**DATE:** March 31, 1997

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
COMMUNITY AFFAIRS  
BILL RESEARCH & ECONOMIC IMPACT STATEMENT - LOCAL LEGISLATION**

**BILL #:** HB 1285

**RELATING TO:** Hillsborough County City-County Planning Commission

**SPONSOR(S):** Representative Wallace and others

**COMPANION BILL(S):** None.

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) COMMUNITY AFFAIRS
  - (2)
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

The bill repeals special acts relating specifically to the Hillsborough County City-County Planning Commission, and provides they be consolidated and codified. The bill also provides for periodic review and recodification.

The Economic Impact Statement states that expected expenditures are the costs of enactment and title advertisement not expected to exceed \$50.00.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The Hillsborough County City-Planning Commission (Commission) was created by special act, chapter 78-523. It was created for the purpose of conducting continuous planning, and making recommendations to the Board of County Commissioners of Hillsborough County, and other appropriate bodies concerning the orderly growth and development of Hillsborough County.

It is the duty of the Commission to prepare periodic reports on the comprehensive plans adopted by Hillsborough County, the City of Tampa, and participating municipalities as required by the Hillsborough County Local Government Comprehensive Planning Act of 1975. In developing and implementing comprehensive plans, the Commission must utilize a process which ensures that citizens in local communities can initiate and participate in the development and implementation of said comprehensive plans.

The Commission has the authority to: (1) enter into contracts and agreements; (2) hold public hearings and sponsor public forums; (3) accept and expend funds and grants, and accept and use services from federal, state and county governments or their agencies; (4) to perform other planning services upon the request of the municipal or county governments of Hillsborough County; and (5) make expenditures for the purpose of required equipment and supplies to carry out the purpose of its creating act.

Currently, laws pertaining specifically to the Commission are not codified, and some provisions duplicate provisions of Florida Statutes.

B. EFFECT OF PROPOSED CHANGES:

Laws relating specifically to the Commission will be consolidated and codified. Future laws relating specifically to the Commission will be reviewed and recodified, as necessary.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

78-523, Laws of Florida  
81-392, Laws of Florida  
82-303, Laws of Florida  
75-390, Laws of Florida  
77-564, Laws of Florida  
83-421, Laws of Florida  
84-442, Laws of Florida  
86-407, Laws of Florida  
67-1507, Laws of Florida  
75-399, Laws of Florida  
77-566, Laws of Florida  
94-406, Laws of Florida  
96-517, Laws of Florida

D. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

Not applicable.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

Not applicable.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

Not applicable.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

Not applicable.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

Not applicable.

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

b. Does the bill directly affect the legal rights and obligations between family members?

Not applicable.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

Not applicable.

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

**E. SECTION-BY-SECTION RESEARCH:**

Section 1. Provides that this act supersedes:

- Chapter 78-523, Laws of Florida, which provides for the establishment of the Hillsborough County City-County Planning Commission;
- Chapter 75-390, Laws of Florida, as amended, which creates the Hillsborough County Local Government Comprehensive Planning Act of 1975;
- Chapter 67-1507, Laws of Florida, as amended, relating to the review of capital improvements budgets of Hillsborough County and its municipalities; and
- Chapter 94-406, Laws of Florida, as amended, relating to the requirement for a periodic performance audit of the Hillsborough County City-County Planning Commission.

Provides for codification of the previously existing legislation, and deletes provisions which have expired or have had their effect or have been impliedly repealed or superseded.

Section 2. Creates the Hillsborough County City-County Planning Commission (Commission) for the purpose of conducting continuous planning and making recommendations of the Board of County Commissioners. Provides that the

Commission is the single local planning agency for Hillsborough County and its municipalities, and delineates its duties.

Section 3. Provides for the terms, meetings, and methods of appointment of the members of the Committee.

Section 4. Describes the powers of the Commission.

Section 5. Provides notification requirements if a proposed future land use element or amendment thereto involves less than 5 percent of the total land area of the local government unit. Provides procedures for amendment of an adopted comprehensive plan. Provides procedures for capital improvements budgeting and priorities which must be followed by each local government. Provides definitions for terms used in the section.

Section 6. Provides that any authority exercising planning or land development powers shall submit to the Commission its long-range and master plans and cooperate with the Commission by providing the Commission with necessary information.

Section 7. Provides that the Commission is subject to a performance audit every 4 years. Provides such audit shall be conducted in accordance with Government Auditing Standards and includes audit components and requirements.

Section 8. Provides for recodification and review of this act every 10 years.

Section 9. Provides a severability clause.

Section 10. Repeals chapters 67-1507, 75-390, 75-399, 77-564, 77-566, 78-523, 81-392, 82-303, 83-421, 84-442, 86-407, 94-406 and 96-517, Laws of Florida. Provides that such appeal does not effect the prosecution of any cause of action that accrued before the effective date of the repeal.

Section 11. Provides an effective date of July 1, 1997.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? February 8, 1997

WHERE? The Times, Tampa, Hillsborough County, Florida

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

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C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

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