

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Community Affairs offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Section 170.07, Florida Statutes, is amended to read:

170.07 Publication of preliminary assessment roll.--Upon the completion of said preliminary assessment roll, the governing authority of the municipality shall by resolution fix a time and place at which the owners of the property to be assessed or any other persons interested therein may appear before said governing authority and be heard as to the propriety and advisability of making such improvements, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property so improved. Thirty ~~Ten~~ days' notice in writing of such time and place shall be given to such property owners. The notice shall include the amount of the assessment and shall be served by mailing a copy to each of such property

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1 owners at his or her last known address, the names and
2 addresses of such property owners to be obtained from the
3 records of the property appraiser or from such other sources
4 as the city or town clerk or engineer deems reliable, proof of
5 such mailing to be made by the affidavit of the clerk or
6 deputy clerk of said municipality, or by the engineer, said
7 proof to be filed with the clerk, provided, that failure to
8 mail said notice or notices shall not invalidate any of the
9 proceedings hereunder. Notice of the time and place of such
10 hearing shall also be given by two publications a week apart
11 in a newspaper of general circulation in said municipality,
12 and if there be no newspaper published in said municipality
13 the governing authority of said municipality shall cause said
14 notice to be published in like manner in a newspaper of
15 general circulation published in the county in which said
16 municipality is located; provided that the last publication
17 shall be at least 1 week prior to the date of the hearing.
18 Said notice shall describe the streets or other areas to be
19 improved and advise all persons interested that the
20 description of each property to be assessed and the amount to
21 be assessed to each piece or parcel of property may be
22 ascertained at the office of the clerk of the municipality.
23 Such service by publication shall be verified by the affidavit
24 of the publisher and filed with the clerk of said
25 municipality.

26 Section 2. Section 194.032, Florida Statutes, is
27 amended to read:

28 194.032 Hearing purposes; timetable.--

29 (1)(a) The value adjustment board shall meet not
30 earlier than 30 days and not later than 60 ~~45~~ days after the
31 mailing of the notice provided in s. 194.011(1); however, no

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1 board hearing shall be held before approval of all or any part
2 of the assessment rolls by the Department of Revenue. The
3 board shall meet for the following purposes:

4 1. Hearing petitions relating to assessments filed
5 pursuant to s. 194.011(3).

6 2. Hearing complaints relating to homestead exemptions
7 as provided for under s. 196.151.

8 3. Hearing appeals from exemptions denied, or disputes
9 arising from exemptions granted, upon the filing of exemption
10 applications under s. 196.011.

11 4. Hearing appeals concerning ad valorem tax deferrals
12 and classifications.

13 (b) Notwithstanding the provisions of paragraph (a),
14 the value adjustment board may meet prior to the approval of
15 the assessment rolls by the Department of Revenue, but not
16 earlier than July 1, to hear appeals pertaining to the denial
17 by the property appraiser of exemptions, agricultural and
18 high-water recharge classifications, and deferrals under
19 subparagraphs (a)2., 3., and 4. In such event, however, the
20 board may not certify any assessments under s. 193.122 until
21 the Department of Revenue has approved the assessments in
22 accordance with s. 193.1142 and all hearings have been held
23 with respect to the particular parcel under appeal.

24 (c) In no event may a hearing be held pursuant to this
25 subsection relative to valuation issues prior to completion of
26 the hearings required under s. 200.065(2)(c).

27 (2) The clerk of the governing body of the county
28 shall prepare a schedule of appearances before the board based
29 on petitions timely filed with him or her. The clerk shall
30 notify each petitioner of the scheduled time of his or her
31 appearance no less than 15 5 calendar days prior to the day of

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1 such scheduled appearance. A copy of the property record card
2 containing relevant information used in computing the
3 taxpayer's current assessment shall be included with such
4 notice, if said card was requested by the taxpayer. Such
5 request shall be made by checking an appropriate box on the
6 petition form. No petitioner shall be required to wait for
7 more than 4 hours from the scheduled time; and, if his or her
8 petition is not heard in that time, the petitioner may, at his
9 or her option, report to the chairperson of the meeting that
10 he or she intends to leave; and, if he or she is not heard
11 immediately, the petitioner's administrative remedies will be
12 deemed to be exhausted, and he or she may seek further relief
13 as he or she deems appropriate. Failure on three occasions
14 with respect to any single tax year to convene at the
15 scheduled time of meetings of the board shall constitute
16 grounds for removal from office by the Governor for neglect of
17 duties.

18 (3) The board shall remain in session from day to day
19 until all petitions, complaints, appeals, and disputes are
20 heard. If all or any part of an assessment roll has been
21 disapproved by the department pursuant to s. 193.1142, the
22 board shall reconvene to hear petitions, complaints, or
23 appeals and disputes filed upon the finally approved roll or
24 part of a roll.

25 Section 3. This act shall take effect January 1, 1999.
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28 ===== T I T L E A M E N D M E N T =====
29 And the title is amended as follows:
30 remove from the title of the bill: the entire title
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and insert in lieu thereof:
A bill to be entitled
An act relating to public notice requirements;
amending s. 170.07, F.S.; revising the time for
providing written notice of assessment for
municipal improvements to property owners;
amending s. 194.032, F.S.; revising the time
period during which a value adjustment board
hearing may be held; revising the time for
notice to a petitioner of the scheduled time of
appearance before the board; providing an
effective date.