

By Senator Dudley

25-1015-98

See HB 3543

1 A bill to be entitled
2 An act relating to the Bonita Springs Fire
3 Control and Rescue District, Lee County;
4 providing for a codification of special laws
5 relating to the Bonita Springs Fire Control and
6 Rescue District pursuant to s. 191.015, F.S.;
7 providing legislative intent; codifying
8 reenacting and amending all prior special acts;
9 creating and establishing a fire control and
10 rescue district in said county and fixing the
11 boundaries of district; providing for a
12 governing body; prescribing the powers of the
13 board; authorizing the board to establish and
14 maintain emergency medical services and
15 equipment; authorizes the board to make rules
16 and regulations; providing procedure for
17 adopting a budget, giving the board the power
18 to tax; providing procedure for assessing and
19 collecting taxes; limiting tax collector's
20 responsibility; providing for payment of
21 expenses; requiring the treasurer to post a
22 bond; providing that such act shall be
23 construed liberally; providing for
24 severability; providing for the repeal of
25 chapters 65-1828, 68-90, 69-1242, 81-414,
26 96-500, and 96-545, Laws of Florida, and
27 section 6 of 87-447, Laws of Florida; providing
28 an effective date.

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30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Intent.--Pursuant to section 191.015,
2 Florida Statutes, this act constitutes the codification of all
3 special acts relating to the Bonita Springs Fire Control and
4 Rescue District. It is the intent of the Legislature to
5 provide a single, comprehensive special act charter for the
6 district including all current legislative authority granted
7 to the district by its several legislative enactments and any
8 additional authority granted by this act. It is further the
9 intent of this act to preserve all district authority,
10 including the authority to annually assess and levy against
11 the taxable property in the district a tax not to exceed 3
12 mills on the dollar of assessed valuation, except as provided
13 in chapter 97-340, Laws of Florida, chapter 191, Florida
14 Statutes, or any other applicable general or special law.

15 Section 2. Codification.--Chapters 65-1828, 68-90,
16 69-1242, 81-414, 96-500, and 96-545, Laws of Florida, and
17 section 6 of chapter 87-447, Laws of Florida, relating to the
18 Bonita Springs Fire Control and Rescue District, are codified,
19 reenacted, amended, and repealed as provided herein.

20 Section 3. Creation.--There is established the Bonita
21 Springs Fire Control and Rescue District, an independent
22 special district, hereinafter referred to as the district,
23 which shall include the following described lands:

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25 All of sections 13 and 14, 24 and 25, Township
26 47 South, Range 24 East; Lee County, Florida;

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28 Sections 13 through 36 inclusive, Township 47
29 South, Range 25 East, Lee County, Florida;

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1 All of Township 47 South, Range 26 East; Lee
2 County, Florida;
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4 All of Township 48, Range 26 East, located in
5 Lee County, Florida;
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7 All of Sections 2, 11 and 12, Township 47
8 South, Range 24 East, Lee County, Florida;
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10 Sections 1 through 4, Township 48 South, Range
11 25 East in Lee County, Florida.
12 Section 4. Governing body.--The district shall be
13 governed by a board which shall consist of five (5) resident
14 electors of the district elected by a vote of the electors of
15 the district pursuant to chapter 97-340, Laws of Florida.
16 Section 5. Officers; powers.--Within sixty (60) days
17 after the election of members of the board, the members shall
18 meet and elect from the membership a president, a secretary,
19 and a treasurer; provided, however, the same member may be
20 both secretary and treasurer. The district shall have and the
21 board may exercise those general and special powers prescribed
22 by chapter 97-340, Laws of Florida, chapter 191, Florida
23 Statutes, or any other applicable general or special law, as
24 the act may be amended from time to time.
25 Section 6. Emergency medical and rescue response
26 services.--The Bonita Springs Fire Control and Rescue District
27 is authorized to establish and maintain emergency medical and
28 rescue response services and acquire and maintain rescue,
29 medical, and other emergency equipment, subject to the
30 provisions of chapter 401, Florida Statutes.
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1 Section 7. Rules and regulations.--The board is
2 authorized to make rules and regulations for the prevention of
3 fires, fire control, and rescue work within the district. Such
4 rules and regulations, after being made by the board and
5 copies thereof signed by the president and the secretary, and
6 posted in at least three (3) public places within the
7 district, one (1) of which must be the fire station or such
8 similar place wherein the firefighting and rescue equipment is
9 normally kept, after ten (10) days shall have the force and
10 effect of law.

11 Section 8. Budget.--For the purposes of carrying into
12 effect this act the board shall annually prepare, consider,
13 and adopt a district budget pursuant to the applicable
14 requirements of chapter 200, Florida Statutes, as it may be
15 amended from time to time.

16 Section 9. Taxing authority.--The district board shall
17 fix and cause to be levied on all property of the district,
18 real and personal, a millage sufficient to meet the
19 requirements of the adopted budget; provided, however, three
20 (3) mills is the maximum that can be levied in any one (1)
21 year, except as provided in chapter 97-340, Laws of Florida,
22 chapter 191, Florida Statutes, or any other applicable general
23 or special law.

24 Section 10. Assessment and collection of taxes.--Taxes
25 herein provided for shall be assessed and collected in the
26 same manner and form as provided for the assessment and
27 collection of county taxes.

28 Section 11. Tax collector's responsibility.--When such
29 taxes as provided for herein shall have been collected by the
30 tax collector of Lee County, he or she shall, on or before the
31 tenth (10th) day of each month, report to the secretary of the

1 board the collections made for the preceding month and remit
2 the same to the treasurer of the board and take a receipt for
3 the same from the treasurer. Thereupon the tax collector shall
4 be relieved from all other and further liability as to the
5 amount so paid the treasurer of the board.

6 Section 12. Expenses.--All warrants for the payment of
7 labor, equipment, and other expenses of the board, and in
8 carrying into effect this act and the purposes thereof, shall
9 be payable by the treasurer of the board on accounts and
10 vouchers approved and authorized by the board.

11 Section 13. Treasurer's bond.--The treasurer of the
12 board, when entering upon his or her duties, shall give a good
13 and sufficient bond to the Governor in the sum of five
14 thousand dollars (\$5,000.00) for the faithful performance of
15 his or her duties as treasurer, the premium for such bond to
16 be paid from district funds.

17 Section 14. Construction.--This act shall be construed
18 as remedial and shall be liberally construed to promote the
19 purpose for which it is intended.

20 Section 15. Effect.--In the event that any part of
21 this act should be held void for any reason, such holding
22 shall not affect any other part thereof.

23 Section 16. Repeal of prior special acts.--Chapters
24 65-1828, 68-90, 69-1242, 81-414, 96-500, and 96-545, Laws of
25 Florida, and section 6 of chapter 87-447, Laws of Florida,
26 shall be repealed 10 days after the effective date of this
27 act.

28 Section 17. This act shall take effect upon becoming a
29 law.

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