

218-206AX-05

Bill No. CS for SB 1230

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Rojas offered the following:

Amendment (with title amendment)

On page 2, between lines 26 and 27

insert:

Section 3. Section 165.022, Florida Statutes, is amended to read:

165.022 Preemption; effect on special laws.--It is the purpose of this act to provide viable and usable general law standards and procedures for forming and dissolving municipalities in lieu of any procedure or standards now provided by general or special law. The provisions of this act shall be the exclusive procedure pursuant to general law for forming or dissolving municipalities in this state, or an optional procedure for a county as defined by s. 125.01(1) ~~except in those counties operating under a home rule charter which provides for an exclusive method as specifically authorized by s. 6(e), Art. VIII of the State Constitution.~~ Any provisions of a general or special law existing on July 1, 1974, in conflict with the provisions of this act shall not be

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1 effective to the extent of such conflict.

2 Section 4. Paragraph (a) of subsection (1) of section
3 165.041, Florida Statutes, is amended to read:

4 165.041 Incorporation; merger.--

5 (1)(a) A charter for incorporation of a municipality,
6 except in case of a merger which is adopted as otherwise
7 provided in subsections (2) and (3), shall be adopted only by
8 a special act of the Legislature, or for a county as defined
9 by s. 125.011(1), by general act of the Legislature, upon
10 determination that the standards herein provided have been
11 met.

12 Section 5. Subsection (1) of section 165.051, Florida
13 Statutes, is amended to read:

14 165.051 Dissolution procedures.--

15 (1) The charter of any existing municipality may be
16 revoked and the municipal corporation dissolved by either:

17 (a) A special act of the Legislature; ~~or~~

18 (b) A general act of the Legislature for a county as
19 defined by s. 124.011(1); or

20 (c)(~~b~~) An ordinance of the governing body of the
21 municipality, approved by a vote of the qualified voters.

22 Section 6. If any provision of this act or the
23 application thereof to any person or circumstance is held
24 invalid, the invalidity shall not affect other provisions or
25 applications of the act which can be given effect without the
26 invalid provision or application, and to this end the
27 provisions of this act are declared severable.

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30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 remove from the title of the bill: the entire title

2

3 and insert in lieu thereof:

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A bill to be entitled

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An act relating to local government; amending

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s. 166.411, F.S.; authorizing municipalities to

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exercise the power of eminent domain for public

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school purposes; providing for repeal; amending

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s. 165.022, F.S.; providing that counties

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operating under a home rule charter as

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authorized by s. 6(e), Art. VIII of the State

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Constitution may use the procedures provided by

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the Formation of Municipalities Act or by their

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charter for forming or dissolving

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municipalities; amending ss. 165.041 and

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165.051, F.S.; conforming to the act; providing

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for severability; providing an effective date.

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