

By Representatives Cantens, Fasano, Villalobos, Cosgrove,
Roberts, Garcia and Rojas

1 A bill to be entitled
2 An act relating to community improvements;
3 creating the "Community Improvement Authority
4 Act"; providing legislative findings and
5 intent; defining terms; providing for the
6 creation of community improvement authorities
7 in eligible counties; providing for the
8 management of authorities; providing for the
9 powers of an authority; authorizing the use of
10 bonds to fund projects; providing for a tax
11 exemption on bonds; providing for limitations
12 on damages; providing for awarding contracts
13 for the construction of projects; providing for
14 dissolution of an authority; providing
15 severability; providing for liberal
16 construction; providing an effective date.

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

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20 Section 1. Short title.--This act may be cited as the
21 "Community Improvement Authority Act."

22 Section 2. Legislative findings; intent.--
23 (1) The Legislature finds that certain counties in the
24 state are substantially affected by the tourism industry and
25 other tourism-related activities and have the need for
26 enhancement of areas surrounding major downtown areas through
27 the improvement of existing facilities and the development of
28 tourism-oriented facilities and other attractions, including
29 professional sports facilities, and other related amenities
30 and infrastructure. The Legislature also finds that these
31 projects serve a paramount public purpose and that there is a

1 need to provide a comprehensive method and funding sources for
2 providing for the development and operation of
3 tourism-oriented facilities and other attractions, including
4 professional sports facilities, and other related amenities
5 and infrastructure.

6 (2) It is declared to be the intent of the Legislature
7 to prescribe a uniform procedure for establishing independent
8 authorities for the purpose of planning, financing,
9 constructing, renovating, developing, operating, and
10 maintaining tourism-oriented facilities and other attractions,
11 including professional sports facilities and other related
12 amenities and infrastructure, within highly populated counties
13 of the state and within counties contiguous therewith.

14 (3) It is declared to be the intent of the Legislature
15 to prescribe a uniform procedure for establishing independent
16 authorities for the purpose of planning, financing,
17 constructing, renovating, developing, operating, and
18 maintaining tourism-oriented facilities and other attractions,
19 including professional sports facilities, and other related
20 amenities and infrastructure within highly populated counties
21 of the state.

22 (4) It is the intent of the Legislature that such
23 authorities shall take all steps reasonable, necessary, or
24 advisable to generate local support for the development of
25 projects, including professional sports facilities and related
26 amenities and infrastructure, to serve as an intermediary and
27 facilitate negotiations with and among private interests,
28 community organizations, and governmental authorities in
29 connection with the construction or development of such
30 projects, to explore, research, and analyze financing and
31 related alternatives for the construction or development of

1 such projects, and to present findings and recommendations to
2 the appropriate governmental entities with respect to the
3 construction or development of such projects.

4 (5) Because the independent authorities so created
5 shall be empowered to exercise certain substantial powers and
6 authority in more than one county, it is declared to be the
7 intent of the Legislature that the Community Improvement
8 Authority Act be construed for all purposes as a general law
9 that relates to more than one county and that the independent
10 authorities so created not be deemed to have jurisdiction
11 lying wholly within any one county within the meaning of any
12 constitutional, statutory, or charter provision.

13 Section 3. Definitions.--As used in this act, the
14 term:

15 (1) "Authority" means an authority created under this
16 act.

17 (2) "Board" or "board of supervisors" means the
18 governing body of an authority.

19 (3) "Bond" means any general obligation bond, revenue
20 bond, refunding bond, note, or other debt obligation
21 authorized under this act.

22 (4) "Department" means the Department of Revenue.

23 (5) "Eligible county" means any county within the
24 state which simultaneously satisfies the following criteria:

25 (a) At least two professional sports facilities exist
26 in the county, and

27 (b) The county has a population of not less than 1.5
28 million according to the most recent annual publication of
29 County Population Estimates of the U.S. Bureau of the Census.

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1 Once a governing body has been appointed for an authority in
2 an eligible county, that county is considered an eligible
3 county for all purposes of this act, notwithstanding
4 subsequent reductions in population.

5 (6) "Professional sports facility" means a ballpark,
6 stadium, arena, coliseum, or similar facility intended for use
7 by a professional sports franchise that exists within the
8 National League or the American League of Major League
9 Baseball, the National Basketball Association, the National
10 Football League, or the National Hockey League.

11 (7) "Project" means tourism-oriented facilities,
12 attractions, and other improvements authorized by this act,
13 including professional sports facilities, related amenities
14 and infrastructure, and systems, facilities, and services
15 determined by an authority to be beneficial to the
16 development, ownership, and operation of any of the foregoing,
17 including the acquisition of land and any interest therein.

18 (8) "Refunding bonds" means bonds issued to retire or
19 refinance outstanding bonds of an authority and the interest
20 and redemption premium thereon.

21 (9) "Revenue bonds" means obligations of an authority
22 which are payable from revenues or other funds derived from
23 sources other than ad valorem taxes on real or tangible
24 personal property.

25 Section 4. Creation of a community improvement
26 authority; charter.--

27 (1) A community improvement authority is established
28 within each eligible county with all of the powers, authority,
29 duties, and limitations set forth in this act, including the
30 powers set forth in this act to undertake certain activities
31 in counties contiguous with such eligible county. This act

1 constitutes the charter of each such authority. Each authority
2 shall be designated "____ County Community Improvement Trust,"
3 with the blank space being completed by inserting the name of
4 the eligible county in which the authority is located.
5 Notwithstanding the foregoing, in any eligible county in which
6 an independent port district was abolished with support of the
7 majority of electors of that county voting in a referendum
8 held within 10 years immediately preceding the effective date
9 of this act, an authority shall not be established and no
10 authority shall have jurisdiction or exercise any powers
11 within such county without an approving ordinance adopted by
12 such county's governing body.

13 (2) Each authority is a body politic and corporate, a
14 public instrumentality, and an independent special district
15 within the meaning of chapter 189, Florida Statutes, the
16 jurisdiction of which encompasses the applicable eligible
17 county and each county contiguous therewith, except as
18 expressly provided herein.

19 Section 5. Board of supervisors.--

20 (1) A board of supervisors shall govern each
21 authority.

22 (2) The board shall be composed of nine members.
23 Within 60 days after an authority is established, the Governor
24 shall select a total of 4 appointments to the board, one of
25 whom shall be the chair; the county commission of the eligible
26 county shall select a total of 3 appointments to the board;
27 and the city commission of the city within which the projects
28 are proposed to be constructed shall appoint 2 members of the
29 board. Each appointing authority shall appoint members of the
30 board to succeed those whose terms are expiring not less than
31 60 days before the expiration of such term. All members of the

1 board must have expertise in one or more of the following
2 areas: public finance, private finance, public accounting,
3 commercial law, commercial real estate, real estate
4 development, general contracting, architecture, and
5 administration of professional sports team operations. A
6 member of the board may not, at the time of appointment, hold
7 an elected public office in the state.

8 (3) The organizational meeting of the board shall be
9 held within 15 days after the appointment of the board.

10 Appointed members of the board shall hold office for a term of
11 4 years or until their successors take office, except that two
12 of the initial members shall be appointed to terms of 3 years
13 and two of the initial members shall be appointed to terms of
14 2 years. If during a member's term of office a vacancy
15 occurs, the Governor shall fill the vacancy by appointment for
16 the remainder of the term.

17 (4) The members of the board must be residents of the
18 eligible county in which the authority is located.

19 (5) Four members of the board shall constitute a
20 quorum, and the affirmative vote of a majority of the members
21 present and voting is necessary to take any official action.

22 (6) The members of the board shall serve without
23 compensation but are entitled to reimbursement for travel and
24 per diem expenses in accordance with section 112.061, Florida
25 Statutes.

26 (7) The board shall at the time of organizing and
27 thereafter annually elect a chair for a term of 1 year or
28 until a successor is elected or the chair is removed, with or
29 without cause, by the board. The chair shall preside at all
30 meetings of the board. If the chair is absent or disqualified
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1 at any meeting, any member of the board may be designated
2 chair pro tempore for that meeting.

3 Section 6. Executive director.--The board shall
4 appoint and fix the salary of an executive director to carry
5 out the day-to-day activities of the authority and to
6 administer the policies of the board.

7 Section 7. Chief financial officer and other officers;
8 financial records; fiscal year.--

9 (1) The board shall appoint and fix the salary of a
10 chief financial officer of the authority, who is responsible
11 for the funds and finances of the authority. Funds may be
12 disbursed only at the direction of the board signed by the
13 persons designated by the board. The board may give the chief
14 financial officer additional powers and duties.

15 (2) The board or the executive director upon authority
16 delegated by the board may appoint or employ other officers or
17 employees of the authority and give them appropriate powers
18 and duties.

19 (3) The financial records of the authority shall be
20 audited by an independent certified public accountant at least
21 once each year.

22 (4) The fiscal year of the authority begins October 1
23 of each year and ends September 30 of the following year.

24 Section 8. Budgets.--On or before June 30 of each
25 year, the executive director of the authority shall prepare a
26 proposed budget, including an estimate of all revenues and
27 anticipated expenditures, for the following fiscal year to be
28 submitted to the board for approval or modification. The
29 budget must be adopted before October 1 of each year.

30 Section 9. Powers and duties.--

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1 (1) Each authority has, and the board may exercise the
2 power to take all steps reasonable, necessary, or advisable to
3 generate local support for the development of projects,
4 including professional sports facilities and related amenities
5 and infrastructure, to serve as an intermediary and facilitate
6 negotiations with and among private interests, community
7 organizations, and governmental authorities in connection with
8 the construction or development of such projects, and to
9 explore, research, and analyze financing and related
10 alternatives for the construction or development of such
11 projects.

12 (2) As appropriate, the authority shall present
13 findings and make recommendations to the applicable
14 governmental entity necessary to secure support or action with
15 respect to such recommendations and to secure sources of
16 financing and other funding alternatives for the construction
17 or development of such projects.

18 (3) In the event an appropriate governmental authority
19 has acted upon the recommendations of the authority then each
20 authority has, and the board may exercise, the power to:

21 (a) Finance, refinance, acquire, plan, design,
22 develop, construct, own, lease, operate, maintain, manage,
23 renovate, improve, and promote any project located in the
24 eligible county or any county contiguous therewith consisting
25 of one or more tourism-oriented facilities and other
26 attractions and related amenities and infrastructure,
27 including: professional sports facilities and recreational,
28 commercial, cultural and educational facilities; civic,
29 multipurpose meeting facilities; and all forms of media
30 communication, transmission, and production systems and
31 facilities.

1 1. During the 24-month period following establishment
2 of an authority, the only project an authority may initiate is
3 a professional sports facility and related amenities and
4 infrastructure, which initiation must be evidenced by adoption
5 of a resolution setting forth the authority's commitment to
6 initiate and promptly implement a professional sports facility
7 project.

8 2. A professional sports facility may not be
9 constructed outside the eligible county that is intended to
10 accommodate regular season games of a professional sports
11 franchise that exists within the National League or the
12 American League of Major League Baseball, the National
13 Basketball Association, the National Football League, or the
14 National Hockey League.

15 3. No other project may be constructed outside the
16 eligible county unless the authority and the county in which
17 such facility will be located have entered into an interlocal
18 agreement with respect to such project.

19 (b) Finance, refinance, acquire, plan, design,
20 develop, construct, own, lease, operate, maintain, manage,
21 renovate, improve, and promote any facilities and
22 infrastructure within the authority's jurisdictional
23 boundaries that are reasonably ancillary, incidental, or
24 supporting of projects, including, but not limited to, roads,
25 bridges, parking, and other transportation facilities.

26 (c) Provide for the protection of persons using the
27 facilities of the authority by contracting to provide police
28 protection, emergency medical services, and fire protection
29 related to the facilities only with the prior consent of the
30 county or municipality that provides these services at the
31 time of the establishment of the authority.

- 1 (d) Sue and be sued in the name of the authority.
2 (e) Adopt and use a seal and authorize the use of a
3 facsimile thereof.
4 (f) Make and execute contracts and other instruments
5 necessary or convenient to the exercise of its powers.
6 (g) Employ staff and contract for the services of such
7 independent consultants, professionals, managers, and
8 operators as the board finds necessary and convenient.
9 (h) Maintain offices as the board finds necessary.
10 (i) Adopt procedures for the conduct of the
11 authority's affairs, the conduct of its business, and the
12 administration of this act.
13 (j) Accept gifts; apply for and use grants or loans of
14 money or other property from the United States or any
15 department, agency, or unit of local government thereof, the
16 state or any of its subdivisions or agencies, any other state
17 or any subdivision or agency thereof, or any person for
18 authority purposes and enter into any agreements required in
19 connection therewith; and hold, use, and dispose of money or
20 property for any authority purposes in accordance with the
21 terms of the gift, grant, loan, or agreement relating thereto.
22 (k) Hold, control, and acquire by donation or
23 purchase, and dispose of, any real or personal property, or
24 any estate therein, within or outside the authority's
25 boundaries, for any authority purpose.
26 (l) Lease as lessor or lessee to or from any person,
27 public or private, any projects of the type that the authority
28 is authorized to undertake and facilities or property of any
29 nature for the use of the authority to carry out any of the
30 purposes authorized by this act.
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1 (m) Borrow money and issue bonds or other evidence of
2 indebtedness as otherwise provided in this act.

3 (n) Fix, collect, and enforce fees, rates, or other
4 user charges for any service, program, or facility provided by
5 the authority.

6 (o) Cooperate and contract with other governmental
7 entities and, under an interlocal agreement with such an
8 entity, undertake any project authorized in this act or that
9 the contracting governmental entity is authorized to undertake
10 and that furthers an authority purpose.

11 (p) Invest moneys received by the authority as is
12 permitted by law or as provided in any resolution adopted by
13 the board.

14 (q) Procure necessary insurance or self-insure.

15 (r) Establish such independent entities or affiliated
16 entities, whether in the form of a not-for-profit corporation
17 or other legal entity, for such purposes as the board
18 considers necessary or appropriate to carry out its projects
19 or to administer projects or funds for the benefit of all or
20 any portion of the eligible county or any county contiguous
21 therewith.

22 (s) Make grants of authority funds to the eligible
23 county or any county contiguous therewith or to any
24 municipality, or any other governmental unit in any such
25 county if the grant furthers any purpose of the authority.

26 (t) Exercise all powers necessary, convenient,
27 incidental, or proper in connection with any of the powers,
28 duties, or purposes authorized by this act.

29 Section 10. Bonds.--

30 (1) AUTHORIZATION AND FORM OF BONDS.--

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1 (a) The authority may issue and sell bonds for any
2 purpose for which the authority has the power to expend money,
3 including, without limitation, the power to obtain working
4 capital loans to finance the costs of any project and to
5 refund any bonds or other indebtedness at the time outstanding
6 at or before maturity. Bonds may be sold by public or
7 negotiated sale after advertisement, if any, as the board
8 considers advisable. Bonds may be authorized by resolution of
9 the board.

10 (b) Bonds of the authority may reflect and evidence
11 any form of financing structure that may become marketable
12 from time to time, including, but not limited to, taxable or
13 tax-exempt bonds; bonds that bear current interest, whether
14 fixed or variable; bonds issued at an original issue discount
15 or premium; capital appreciation bonds; bonds that are
16 convertible, whether or not at the option of the holder, into
17 a form of bonds differing from that in which they were
18 originally issued; bonds that allow the holder to tender the
19 bonds to the authority or its agent; bonds that are issued
20 with separate call-option rights that may be sold by the
21 authority at the time of issuance of the bonds or thereafter;
22 and bonds of any type issued in connection with interest-rate
23 swaps or other derivative products. Bonds may be sold in
24 blocks or installments at different times, or an entire issue
25 or series may be sold at the same time.

26 (c) The board may, by resolution, fix the aggregate
27 maximum amount of bonds to be issued; the purpose or purposes
28 for which the moneys derived therefrom may be expended,
29 including, but not limited to, payment of costs of one or more
30 projects; the rates of interest; the denominations of the
31 bonds; whether or not the bonds are to be issued in one or

1 more series; the dates of maturity, which may not exceed 40
2 years from the respective date of issuance; the medium of
3 payment; the places within or outside the state where payment
4 must be made; registration privileges; redemption terms and
5 privileges, whether with or without premium; the manner of
6 execution; the form of the bonds, including any interest
7 coupons to be attached thereto; the manner of execution of
8 bonds and coupons; and any other terms, covenants, and
9 conditions thereof and the establishment of revenue or other
10 funds. The authorizing resolution may further provide for the
11 contracts authorized by section 159.825(1)(f) and (g), Florida
12 Statutes, regardless of the tax treatment of the bonds being
13 authorized. The authorizing resolution may further provide for
14 an electronic-book-entry system of registration, or for
15 certificated bonds. The seal of the authority may be affixed,
16 lithographed, engraved, or otherwise reproduced in facsimile
17 on the bonds.

18 (d) Any issue of bonds may be secured by a trust
19 agreement by and between the authority and corporate trustees,
20 which may be any trust company or bank having the powers of a
21 trust company within or outside the state. Any provisions
22 regarding the details or terms of any bonds that are required
23 or permitted to be set forth in a resolution of the board may
24 be set forth in a trust agreement with the same effect as if
25 the provisions were set forth in a resolution of the board.
26 The resolution authorizing the issuance of the bonds or the
27 trust agreement may pledge any legally available revenues of
28 the authority, including, without limitation, the proceeds of
29 rental payments received by the authority, and may contain
30 such provisions for protecting and enforcing the rights and
31 remedies of the bondholders as the board approves, including,

1 without limitation, covenants authorized under subsection (4)
2 and covenants setting forth the duties of the authority in
3 relation to the acquisition, construction, reconstruction,
4 improvement, maintenance, repair, operation, and insurance of
5 any projects; the fixing and revising of the rates, fees, and
6 charges; and the custody, safeguarding, and application of all
7 moneys, and may contain provisions for the employment of
8 engineers, accountants and other consultants in connection
9 with such acquisition, construction, reconstruction,
10 improvement, maintenance, repair, or operation. It is lawful
11 for any bank or trust company within or outside the state to
12 act as a depository of the proceeds of bonds or of revenues
13 and to furnish such indemnifying bonds or to pledge such
14 securities as are required by the authority. The resolution
15 or trust agreement may set forth the rights and remedies of
16 the bondholders and of the trustee, if any, and may restrict
17 the individual rights of action by bondholders. The board may
18 provide for the payment of proceeds of the sale of the bonds
19 and the revenues of any project to any officer, board, or
20 depository that it designates for the custody thereof and may
21 provide for the method of disbursement thereof with such
22 safeguards and restrictions as it establishes. All expenses
23 incurred in carrying out the provisions of the resolution or
24 trust agreement may be treated as part of the cost of a
25 project to which the trust agreement pertains or as part of
26 the cost of the operation of the project.

27 (e) Bonds may be delivered by the authority as payment
28 of the purchase price of any project or part thereof, or a
29 combination of projects or parts thereof, or as the purchase
30 price or exchange for any property, real, personal, or mixed,
31 including franchises or services rendered by any contractor,

1 engineer, or other person, all at one time or in blocks from
2 time to time, in such manner and upon such terms as the board
3 determines.

4 (f) Pending the preparation of definitive bonds, the
5 board may issue interim certificates or receipts or temporary
6 notes or bonds, in a form and with such provisions as the
7 board establishes, exchangeable for definitive bonds when the
8 bonds have been executed and are available for delivery. The
9 board may also provide for the replacement of any bonds that
10 become mutilated, lost, or destroyed.

11 (g) All bonds issued on behalf of the authority must
12 state on the face thereof that they are payable, both as to
13 principal and interest, solely from assets of the authority
14 pledged therefor and do not constitute an obligation, either
15 general or special, of the state or of any local government.

16 (2) NEGOTIABILITY OF BONDS.--Any bond issued under
17 this act or any temporary bond, in the absence of an express
18 recital on the face thereof that it is nonnegotiable, is fully
19 negotiable and constitutes a negotiable instrument within the
20 meaning and for all purposes of the law merchant and the laws
21 of the state.

22 (3) BONDS AS LEGAL INVESTMENT OR SECURITY.--

23 (a) Notwithstanding any other law to the contrary, all
24 bonds issued under this act constitute legal investments for
25 savings banks, banks, trust companies, insurance companies,
26 executors, administrators, trustees, guardians, and other
27 fiduciaries and for any board, body, agency, instrumentality,
28 county, municipality, or other political subdivision of the
29 state.

30 (b) Any bonds issued by the authority are
31 incontestable in the hands of bona fide purchasers or holders

1 for value and are not invalid because of any irregularity or
2 defect in the proceedings for the issue and sale thereof.

3 (4) COVENANTS.--Any resolution authorizing the
4 issuance of bonds may contain any covenants the board finds
5 advisable. All the covenants constitute valid and legally
6 binding and enforceable contracts between the authority and
7 the bondholders, regardless of the time of issuance thereof.

8 (5) ACT FURNISHES FULL AUTHORITY FOR ISSUANCE OF
9 BONDS.--This act constitutes full authority for the issuance
10 of bonds and the exercise of the powers of the authority. No
11 procedures or proceedings, publications, notices, consents,
12 approvals, orders, acts, or things by the board, or any board,
13 officers, commission, department, agency, or instrumentality
14 of the authority, other than those required by this act, are
15 required to perform anything under this act, except that the
16 issuance or sale of bonds under this act must comply with the
17 general-law requirements applicable to the issuance or sale of
18 bonds by the authority, including, but not limited to, section
19 189.4085, Florida Statutes.

20 (6) PLEDGE BY THE STATE TO THE BONDHOLDERS OF THE
21 AUTHORITY.--The state pledges to the holders of any bonds
22 issued under this act that it will not limit or alter the
23 rights of the authority to own, acquire, construct, or
24 reconstruct, improve, maintain, operate, or furnish the
25 projects, rentals, rates, fees, and other charges provided for
26 in this act and to fulfill the terms of any agreement made
27 with the holders of the bonds or other obligations and that it
28 will not in any way impair the rights or remedies of the
29 holders.

30 Section 11. Tax exemption.--The bonds and other
31 obligations issued under this act, their transfer, and the

1 income therefrom, including any profit made on the sale
2 thereof, and all notes, mortgages, security agreements,
3 letters of credit, or other instruments that arise from or are
4 given to secure the repayment of bonds or other obligations
5 issued under this act, are at all times free from taxation by
6 the state or any unit of local government, political
7 subdivision, or other instrumentality of the state. For
8 purposes of excise taxes on documents, the provisions of
9 section 201.24, Florida Statutes, apply. The exemption
10 granted by this section does not apply to any tax imposed by
11 chapter 220, Florida Statutes, on interest, income, or profits
12 on debt obligations owned by corporations.

13 Section 12. Contracts.--Contracts for the construction
14 of projects and for any other purpose of the authority may be
15 awarded by the authority in a manner that will best promote
16 free and open competition, including advertisement for
17 competitive bids; however, if the authority determines that
18 the purposes of this act will be more effectively served
19 thereby, the authority may award or cause to be awarded
20 contracts for the construction of any project, including
21 design-build contracts, or any part thereof, or for any other
22 purpose of the authority upon a negotiated basis as determined
23 by the authority. Each contractor doing business with the
24 authority and required to be licensed by the state or local
25 general-purpose governments must maintain the license during
26 the term of the contract with the authority. The authority
27 may prescribe bid security requirements and other procedures
28 in connection with the award of contracts which protect the
29 public interest. Section 287.055, Florida Statutes, does not
30 apply to the selection of professional architectural,
31 engineering, landscape architectural, or land surveying

1 services by the authority or to the procurement of
2 design-build contracts. The authority may, and in the case of
3 a new professional sports franchise must, by written contract
4 engage the services of the lessee, sublessee, or purchaser, or
5 prospective lessee, sublessee or purchaser, of any project in
6 the construction of the project and may, and in the case of a
7 new professional sports franchise must, provide in the
8 contract that the lessee, sublessee, purchaser, or prospective
9 lessee, sublessee or purchaser, may act as an agent of, or an
10 independent contractor for, the authority for the performance
11 of the functions described therein, subject to the conditions
12 and requirements prescribed in the contract, including
13 functions such as the acquisition of the site and other real
14 property for the project; the preparation of plans,
15 specifications, financing and contract documents; the award of
16 construction and other contracts upon a competitive or
17 negotiated basis; the construction of the project, or any part
18 thereof, directly by the lessee, purchaser, or prospective
19 lessee or purchaser; the inspection and supervision of
20 construction; the employment of engineers, architects,
21 builders, and other contractors; and the provision of money to
22 pay the cost thereof pending reimbursement by the authority.
23 Any such contract may, and in the case of a new professional
24 sports franchise must, allow the authority to make advances to
25 or reimburse the lessee, sublessee, or purchaser, or
26 prospective lessee, sublessee, or purchaser for its costs
27 incurred in the performance of those functions, and must set
28 forth the supporting documents required to be submitted to the
29 authority and the reviews, examinations, and audits that are
30 required in connection therewith to assure compliance with the
31 contract.

1 Section 13. Sale or lease of property.--The authority
2 may sell or lease property of the authority in a manner that
3 will best promote free and open competition, including
4 advertisement for competitive bids; however, if the authority
5 determines that the purposes of this act will be more
6 effectively served, the authority may sell or lease property
7 of the authority upon a negotiated basis or for no or nominal
8 consideration. Notwithstanding any other law, the authority
9 may sell or lease property of the authority in a transaction
10 in which the authority leases the property back from its
11 purchaser or lessee. To facilitate the development of a
12 project by an authority, any governmental entity or other unit
13 of local government may sell or lease its property to an
14 authority upon a negotiated basis, without competitive bid,
15 and for no or nominal consideration, and an authority may
16 resell or sublease the property to a professional sports
17 franchise in the same manner.

18 Section 14. Damages arising out of tort.--Any suit or
19 action brought or maintained against the authority for damages
20 arising out of tort are subject to the limitations provided in
21 section 768.28, Florida Statutes, and any claim must be
22 presented in writing to the board.

23 Section 15. Dissolution.--

24 (1) Once an authority has been established its
25 existence is not affected by any subsequent reduction in
26 population or cruise passenger traffic in the eligible county.
27 Subject to subsection (2), an authority may be dissolved only
28 by unanimous resolution of the board and approval of the
29 resolution by the Governor or in the manner provided in
30 chapter 189, Florida Statutes; provided, however, that an
31 authority shall be dissolved automatically upon the fifth

1 anniversary of the date it was established in the event that
2 construction has not commenced on any project, including a
3 professional sports facility or other related amenities and
4 infrastructure.

5 (2) A dissolution may not become effective unless
6 arrangements have been made for the full assumption of all
7 governmental services then being provided by the authority,
8 and for the transfer and allocation of revenue, property, and
9 indebtedness of the authority. If any bonds or other
10 obligations of the authority are outstanding, any act of the
11 Legislature dissolving the authority shall set forth the
12 proposed arrangements under which holders of the outstanding
13 obligations will be immediately paid or will continue to be
14 paid, which arrangements must be consistent with the terms of
15 the outstanding obligations. Any resolution of the board or
16 legislative act dissolving the authority must specify the
17 effective date of the dissolution. Neither the consent of the
18 eligible county nor the consent of any county contiguous
19 therewith is required to dissolve an authority.

20 Section 16. Severability.--If any provision of this
21 act or the application thereof to any person or circumstance
22 is held invalid, the invalidity does not affect other
23 provisions or applications of the act which can be given
24 effect without the invalid provision or application, and to
25 this end the provisions of this act are declared severable.

26 Section 17. Liberal construction.--This act shall be
27 liberally construed to effectively carry out its purposes.

28 Section 18. This act shall take effect upon becoming a
29 law.

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HOUSE SUMMARY

Creates the "Community Improvement Authority Act."
Provides for the creation of community improvement
authorities in eligible counties.