



HB 1767

2003

1 A bill to be entitled

2 An act relating to ground rents for leased governmental
3 property; amending ss. 190.011 and 190.021, F.S.;
4 authorizing community development districts to use
5 maintenance special assessments to collect ground rents
6 from lessees of governmentally owned real property;
7 providing an effective date.

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

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11 Section 1. Subsection (7) of section 190.011, Florida
12 Statutes, is amended to read:

13 190.011 General powers.--The district shall have, and the
14 board may exercise, the following powers:

15 (7) To hold, control, and acquire by donation, purchase,
16 or condemnation, or dispose of, any public easements,
17 dedications to public use, platted reservations for public
18 purposes, or any reservations for those purposes authorized by
19 this act; ~~and~~ to make use of such easements, dedications, or
20 reservations for any of the purposes authorized by this act;
21 and, when real property in the district is owned by a
22 governmental entity and subject to a ground lease as described
23 in s. 190.003 (13), to undertake the collection of ground rent
24 from landowners pursuant to contract with such governmental
25 entity, including through the levy of maintenance special
26 assessments pursuant to s.190.021 (3).

27 Section 2. Subsection (3) of section 190.021, Florida
28 Statutes, is amended to read:

29 190.021 Taxes; non-ad valorem assessments.--



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30 (3) MAINTENANCE SPECIAL ASSESSMENTS.--To maintain and
31 preserve the facilities and projects of the district, the board
32 may levy a maintenance special assessment. This assessment may
33 be evidenced to and certified to the property appraiser by the
34 board of supervisors not later than August 31 of each year and
35 shall be entered by the property appraiser on the county tax
36 rolls and shall be collected and enforced by the tax collector
37 in the same manner and at the same time as county taxes, and the
38 proceeds therefrom shall be paid to the district. However, this
39 subsection shall not prohibit the district in its discretion
40 from using the method prescribed in either s. 197.363 or s.
41 197.3632 for collecting and enforcing these assessments. These
42 maintenance special assessments shall be a lien on the property
43 against which assessed until paid and shall be enforceable in
44 like manner as county taxes. The amount of the maintenance
45 special assessment for the exercise of the district's powers
46 under ss. 190.011 and 190.012 shall be determined by the board
47 based upon a report of the district's engineer and assessed by
48 the board upon such lands, which may be all of the lands within
49 the district benefited by the maintenance thereof, apportioned
50 between the benefited lands in proportion to the benefits
51 received by each tract of land. When real property in the
52 district is owned by a governmental entity and subject to a
53 ground lease as described in s. 190.003 (13), the district may
54 include in the maintenance special assessment to be levied on
55 such lands, pursuant to a contract with a governmental entity,
56 the amount of any ground rent due to be collected each year by
57 the district on behalf of such governmental entity.

58 Section 3. This act shall take effect upon becoming a law.