



HB 1797

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.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
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.