

1                                   A bill to be entitled  
2       An act relating to Walton County; creating the Glendale  
3       Fire District, an independent special district; providing  
4       definitions; providing for creation, status, charter  
5       amendments, boundaries, and purposes; providing for a  
6       board of commissioners; providing for election and terms  
7       of commissioners; providing for employment of board  
8       personnel; providing for election of board officers;  
9       providing for compensation and bonds of commissioners;  
10      providing powers, duties, and responsibilities of the  
11      board; preserving the authority to levy non-ad valorem  
12      special assessments; providing for impact fees;  
13      authorizing the board to levy special assessments;  
14      providing legislative intent; providing duties of the  
15      property appraiser; providing for special assessment as a  
16      lien; providing for deposit of such special assessments;  
17      providing for authority to disburse funds; authorizing the  
18      board to borrow money; providing for use of district  
19      funds; requiring a record of all board meetings;  
20      authorizing the board to adopt policies and regulations;  
21      providing for the board to make an annual budget;  
22      requiring an annual report; authorizing the board to enact  
23      fire prevention ordinances, appoint a district fire chief,  
24      acquire land, enter contracts, establish salaries, and  
25      establish and operate a fire rescue service; providing for  
26      district authority upon annexation of district lands;  
27      providing for dissolution; providing immunity from tort  
28      liability for officers, agents, and employees; providing

29 for district expansion; providing for construction and  
 30 effect; providing an effective date.

31  
 32 Be It Enacted by the Legislature of the State of Florida:

33  
 34 Section 1. The Glendale Fire District is hereby created  
 35 and the charter for the district is created to read:

36 Section 1. Definitions.--As used in this act, unless  
 37 otherwise specified:

38 (1) "District" means the Glendale Fire District.

39 (2) "Board" means the board of commissioners created  
 40 pursuant to this act and chapter 191, Florida Statutes.

41 (3) "Board of directors" means the existing policymaking  
 42 and governing body of the Glendale Fire District of Walton  
 43 County.

44 (4) "Commissioner" means a member of the board of  
 45 commissioners of and for the district.

46 (5) "Director" means a member of the board of directors.

47 (6) "Residence" means one single-family dwelling,  
 48 including one single-apartment dwelling unit; one single-  
 49 condominium dwelling unit; one single duplex, triplex, or other  
 50 attached dwelling unit; one single-family detached dwelling  
 51 unit; or one single mobile or modular home dwelling unit.

52 (7) "Business" means a motel, apartment, or rental  
 53 dwelling, along with any other standard commercial or industrial  
 54 business such as a gasoline station, store, marina, or similar  
 55 establishment, as authorized pursuant to the applicable local

56 government comprehensive plan, whether or not such businesses  
 57 are required to pay or collect sales taxes.

58 Section 2. Creation; status; charter amendments;  
 59 boundaries; district purposes.--There is created an independent  
 60 special fire control district and rescue service district  
 61 incorporating lands in Walton County described in subsection  
 62 (1), which shall be a public corporation having the powers,  
 63 duties, obligations, and immunities set forth in this act, under  
 64 the name of the Glendale Fire District. The district is  
 65 organized and exists for all purposes and shall hold all powers  
 66 set forth in this act and chapters 189 and 191, Florida  
 67 Statutes.

68 (1) The lands to be included within the district are the  
 69 following described lands in Walton County:

70 All Sections 24, 25, 26, 35, 36, Township 5 North,  
 71 Range 20 West; Walton County, Florida. Also all  
 72 Sections 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32,  
 73 33, 34, 35, 36, Township 5 North, Range 19 West;  
 74 Walton County, Florida. Also all Sections 28, 29, 30,  
 75 31, 32, 33, Township 5 North, Range 18 West; Walton  
 76 County, Florida. Also all Sections 1, 12, Township 4  
 77 North, Range 20 West; Walton County, Florida. Also all  
 78 sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 79 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35,  
 80 Township 4 North, Range 19 West, Walton County,  
 81 Florida. Also all Sections 4, 5, 6, 7, 8, 9, 16, 17,  
 82 18, 19, 20, 21, 28, 29, 30, Township 4 North, Range 18  
 83 West, Walton County, Florida. Also all of Section 33,

84 Township 4 North, Range 19 West, Walton County,  
 85 Florida: less and except the south 1/4 of section 33.  
 86 Those portions in Township 3 North, Range 19 West,  
 87 which include, those parts of Section 1 and 2 lying  
 88 North of the centerline of County Road 1883 and  
 89 Sunrise Road. The portion in Township 3 North, Range  
 90 19 West, which includes, the part of Section 3 lying  
 91 North of the centerline of Sunrise Road. The portion  
 92 in Township 4 North, Range 19 West which includes, the  
 93 part Section 36 lying North and East of the centerline  
 94 of County Road 1883 and Coy Ellis Road. Those portions  
 95 within Township 4 North, Range 18 West, which include,  
 96 those portions of Section 31, lying North of the  
 97 centerline of Coy Ellis Road. Those portions in  
 98 Township 4 North, Range 18 West which includes,  
 99 Sections 32, 33, lying North of the centerline of  
 100 County Road 183 North. The portion in Township 4  
 101 North, Range 18 West which includes, Section 33 lying  
 102 Northeast of County Road 183B.

103 (2) The purpose of this act is to promote the general  
 104 health, welfare, and safety of the citizens and residents of  
 105 Walton County who reside within the geographical limits of the  
 106 Glendale Fire District by providing for the financial support of  
 107 the Glendale Fire District of Walton County, a Florida not-for-  
 108 profit corporation, which currently provides the district with  
 109 fire protection services, facilities, and firefighting  
 110 equipment; the establishment and maintenance of fire stations  
 111 and fire substations; the acquisition and maintenance of all

112 firefighting and protection equipment necessary for the  
 113 prevention of fires or fighting of fires; the employment and  
 114 training of such personnel as may be necessary to accomplish  
 115 fire prevention and firefighting; the establishment and  
 116 maintenance of emergency services; the acquisition and  
 117 maintenance of rescue and other emergency equipment; and the  
 118 employment and training of necessary emergency personnel. The  
 119 district may provide emergency medical services. The district  
 120 shall have all other powers necessary to carry out these  
 121 purposes. The district shall be a fire control district and  
 122 shall have no responsibility for providing ambulance or similar  
 123 emergency services within the district's boundaries.

124 (3) Nothing in this act shall prevent the district from  
 125 cooperating with the state or other local governments to render  
 126 such services to communities adjacent to the lands described in  
 127 this section as evidenced by a signed aid agreement.

128 (4) The district charter may be amended only by special  
 129 act of the Legislature.

130 Section 3. Board of commissioners.--

131 (1) Pursuant to chapter 191, Florida Statutes, the  
 132 business and affairs of the district shall be governed and  
 133 administered by a board of five commissioners, who shall be  
 134 qualified electors residing within the district and shall be  
 135 elected by the qualified electors residing within the district  
 136 at a special election, subject to the provisions of chapters 189  
 137 and 191, Florida Statutes, and this act. Each commissioner shall  
 138 hold office until his or her successor is elected and qualified  
 139 under the provisions of this act. The procedures for conducting

140 district elections and for qualification of candidates and  
 141 electors shall be pursuant to chapters 189 and 191, Florida  
 142 Statutes.

143 (2) The five members of the initial board shall be elected  
 144 by the qualified electors residing within the district. The  
 145 three elected members for seats 1, 3, and 5 in the initial  
 146 election under this act shall serve terms of 3 years each. The  
 147 remaining two elected members for seats 2 and 4 in the initial  
 148 election under this act shall serve terms of 2 years each.  
 149 Subsequent elections under this act shall coincide with the  
 150 general elections of this state, and members of the board shall  
 151 serve on a nonpartisan basis for terms of 4 years each.

152 (3) Vacancies in office shall be filled by special  
 153 election, said election to be held coincident with the next  
 154 countywide general or special election. The board may appoint a  
 155 qualified elector of the district to act as commissioner until  
 156 the vacancy is filled by election. A commissioner must be a  
 157 qualified elector residing within the district. A commissioner  
 158 may be removed from office for any reason that a state or county  
 159 officer may be removed.

160 (4) All elections shall be noticed, called, and held  
 161 pursuant to the provisions of the general laws of the state,  
 162 except as otherwise provided in this act. The board shall, to  
 163 the extent possible, coordinate all elections with countywide  
 164 general or special elections in order to minimize cost.  
 165 Elections shall be called through the adoption of an appropriate  
 166 resolution of the district directed to the Board of County  
 167 Commissioners of Walton County, the Supervisor of Elections of

168 Walton County, and other appropriate officers of the county. The  
169 district shall reimburse county government for the actual cost  
170 of district elections. No commissioner shall be paid a employee  
171 of the district while holding said position. This shall not  
172 prevent volunteers receiving reimbursement for expenses from  
173 serving as commissioners.

174 (5) The board may employ such personnel as deemed  
175 necessary for the proper function and operation of a fire  
176 district. The salaries of fire department and emergency service  
177 personnel, and any other wages, shall be determined by the  
178 board.

179 Section 4. Officers; board compensation; bond.--

180 (1) In accordance with chapter 191, Florida Statutes, each  
181 elected member of the board shall assume office 10 days  
182 following the member's election. Annually, within 60 days after  
183 election of new members of said board, the members immediately  
184 upon their election as herein provided, or within 10 days  
185 thereafter and annually in November, shall organize by electing  
186 from their number a chair, vice chair, secretary, and treasurer.  
187 However, the same member may be both secretary and treasurer, in  
188 accordance with chapter 191, Florida Statutes, as amended from  
189 time to time.

190 (2) The commissioners may receive reimbursement for actual  
191 expenses incurred while performing the duties of their offices  
192 in accordance with general law governing per diem for public  
193 officials. Commissioners may receive compensation for their  
194 services in accordance with chapter 191, Florida Statutes, as  
195 amended from time to time.

196       (3) Each commissioner, upon taking office and in  
 197 accordance with chapters 189 and 191, Florida Statutes, shall  
 198 execute to the Governor, for the benefit of the district, a bond  
 199 of \$5,000 with a qualified personal or corporate surety,  
 200 conditioned upon the faithful performance of the duties of the  
 201 commissioner's office and upon an accounting for all funds that  
 202 come into his or her hands as commissioner; however, the  
 203 treasurer shall furnish a bond of \$10,000, which may be in lieu  
 204 of the \$5,000 bond. The premium for such bonds shall be paid  
 205 from district funds.

206       Section 5. Powers; duties; responsibilities.--

207       (1) The district shall have and the board may exercise by  
 208 majority vote all the powers and duties set forth in this act  
 209 and chapters 189, 191, and 197, Florida Statutes, as they may be  
 210 amended from time to time, including, but not limited to,  
 211 special assessments, other revenue-raising capabilities, budget  
 212 preparation and approval, liens and foreclosure of liens, use of  
 213 tax deeds and tax certificates as appropriate from non-ad  
 214 valorem assessments, contractual agreements, and adoptions of  
 215 ordinances and resolutions that are necessary to conduct  
 216 district business if such ordinances do not conflict with an  
 217 ordinance of a local general purpose government within whose  
 218 jurisdiction the district is located.

219       (2) The board shall continue to have the right, power, and  
 220 authority to levy annually special assessments against the  
 221 taxable real estate within the district to provide funds for the  
 222 purposes of the district, in an amount not to exceed the limit  
 223 provided in chapter 191, Florida Statutes.



224       (3) The methods for assessing and collecting special  
 225 assessments, fees, or service charges shall be as set forth in  
 226 this act and chapters 170, 189, 191, and 197, Florida Statutes.

227       (4) The district shall levy and collect special  
 228 assessments in accordance with chapter 200, Florida Statutes, as  
 229 amended from time to time.

230       (5) The district is authorized to levy and enforce special  
 231 assessments in accordance with chapters 170, 189, 191, and 197,  
 232 Florida Statutes.

233       (6) The district's planning requirements shall be as set  
 234 forth in this act and chapters 189 and 191, Florida Statutes.

235       (7) Requirements for financial disclosure, meeting  
 236 notices, reporting, public records maintenance, and per diem  
 237 expenses for officers and employees shall be as set forth in  
 238 this act and chapters 112, 119, 189, 191, and 286, Florida  
 239 Statutes.

240       Section 6. Impact fees.--

241       (1) Pursuant to section 191.009(4), Florida Statutes, it  
 242 is hereby declared that the cost of new facilities upon fire  
 243 protection and emergency services should be borne by new users  
 244 of the district's services to the extent new construction  
 245 requires new facilities, but only to that extent. It is the  
 246 legislative intent of this section to transfer to the new users  
 247 of the district's fire protection and emergency services a fair  
 248 share of the costs that new users impose on the district for new  
 249 facilities. This shall only apply in the event that the general  
 250 purpose local government in which the district is located has  
 251 not adopted an impact fee for fire services that is distributed

252 to the district for construction within its jurisdictional  
253 boundaries.

254 (2) The impact fees collected by the district pursuant to  
255 this section shall be kept as a separate fund from other  
256 revenues of the district and shall be used exclusively for the  
257 acquisition, purchase, or construction of new facilities or  
258 portions thereof required to provide fire protection and  
259 emergency services to new construction. "New facilities" means  
260 land, buildings, and capital equipment, including, but not  
261 limited to, fire and emergency vehicles and radio telemetry  
262 equipment. The fees shall not be used for the acquisition,  
263 purchase, or construction of facilities that must be obtained in  
264 any event, regardless of growth within the district. The board  
265 of fire commissioners shall maintain adequate records to ensure  
266 that impact fees are expended only for permissible new  
267 facilities.

268 Section 7. Special assessments.--

269 (1) The board shall have the right, power, and authority  
270 to levy special assessments against the taxable real estate  
271 within the district to provide funds for the purposes of the  
272 district.

273 (2)(a) The annual rate of the special assessment for a  
274 residence will be \$25.

275 (b) The annual rates of the special assessments for  
276 nonresidential property shall be as follows:

- 277 1. Commercial property: \$0.04 per square foot.  
278 2. Industrial/warehouse property: \$0.01 per square foot.  
279 3. Institutional property: \$0.05 per square foot.

280       (c) Any increase in the special assessments must be  
 281 approved by a majority of the electors within the Glendale Fire  
 282 District.

283       (3) It is the legislative intent that this act shall  
 284 authorize the Walton County Property Appraiser and the Walton  
 285 County Tax Collector to take all appropriate action to comply  
 286 with the intent and the purpose of this act.

287       (4) It is also the legislative intent that the board of  
 288 commissioners shall be a vehicle to provide funding to  
 289 accomplish the purposes set out in this act.

290       Section 8. Property appraiser.--

291       (1) The Walton County Property Appraiser shall furnish the  
 292 commissioners a tax roll covering all taxable properties within  
 293 the district on or before July 1 of each year.

294       (2) The Walton County Property Appraiser shall include in  
 295 the Walton County tax roll the assessments made by the board,  
 296 and the same shall be collected in the manner as provided for by  
 297 this act and paid over by the Walton County Tax Collector to the  
 298 board.

299       (3) The Walton County Property Appraiser shall be  
 300 reimbursed for assessing such special assessments in the manner  
 301 and amount authorized by general law, and the Walton County Tax  
 302 Collector shall receive a commission or fee of 3 percent for  
 303 collection of such special assessments.

304       Section 9. Special assessment as a lien.--The special  
 305 assessment levied and assessed by the district shall be a lien  
 306 upon the property so assessed along with the county taxes  
 307 assessed against such property until said assessments and taxes

308 have been paid, and if the special assessment levied by the  
 309 district becomes delinquent, such special assessment shall be  
 310 considered a part of the county tax subject to the same  
 311 penalties, charges, fees, and remedies for enforcement and  
 312 collection of such taxes.

313 Section 10. Deposit of special assessments; fees;  
 314 authority to disburse funds.--

315 (1) The proceeds of the assessments and funds of the  
 316 district shall be deposited in qualified public depositories, in  
 317 accordance with chapters 191 and 280, Florida Statutes, as they  
 318 may be amended from time to time, in the name of the district in  
 319 a bank authorized to receive deposits of district funds. The  
 320 bank shall be designated by a resolution of the board.

321 (2) All warrants for the payment of labor, equipment, and  
 322 other expenses of the board, and in carrying into effect this  
 323 act and the purposes thereof, shall be payable by the treasurer  
 324 of the board on accounts and vouchers approved and authorized by  
 325 the board. No funds of the district shall be paid out or  
 326 disbursed except by check signed by the treasurer of the board  
 327 and either the chair or vice chair of the board.

328 Section 11. Authority to borrow money.--

329 (1) The board of commissioners shall have the power and  
 330 authority to borrow money or issue other evidences of  
 331 indebtedness for the purpose of the district in accordance with  
 332 chapters 189 and 191, Florida Statutes, provided that the total  
 333 payments in any one year, including principal and interest, on  
 334 any indebtedness incurred by the district shall not exceed 50

335 percent of the total estimated annual budgeted revenues of the  
 336 district.

337 (2) The board of commissioners, board of directors as a  
 338 body, or any of the members of either board as individuals shall  
 339 not be personally or individually liable for the repayment of  
 340 such loan. Such repayment shall be made out of the special  
 341 assessment receipts of the district, except as provided in this  
 342 subsection. The commissioners shall not create any indebtedness  
 343 or incur obligations for any sum or amount that they are unable  
 344 to repay out of district funds available to them at that time,  
 345 except as otherwise provided in this act; however, the  
 346 commissioners may make purchases of equipment on an installment  
 347 basis as necessary if funds are available for the payment of the  
 348 current year's installment on such equipment and the amount due  
 349 in that year of any of the installments and the repayment of any  
 350 bank loan or other existing indebtedness that may be due that  
 351 year.

352 Section 12. Use of district funds.--No funds of the  
 353 district shall be used for any purposes other than the  
 354 administration of the affairs and business of the district; the  
 355 construction, care, maintenance, upkeep, operation, and purchase  
 356 of firefighting and rescue equipment or a fire station; the  
 357 payment of public utilities; and the payment of salaries of  
 358 district personnel as the board may from time to time determine  
 359 to be necessary for the operations and effectiveness of the  
 360 district.

361 Section 13. Record of board meetings; authority to adopt  
 362 rules and regulations; annual reports; budget.--

363       (1) A record shall be kept of all meetings of the board,  
 364 and in such meetings concurrence of a majority of the  
 365 commissioners present shall be necessary to any affirmative  
 366 action by the board.

367       (2) The board shall have the authority to adopt and amend  
 368 policies and regulations for the administration of the affairs  
 369 of the district under the terms of this act and chapters 189 and  
 370 191, Florida Statutes, which shall include, but not be limited  
 371 to, the authority to adopt the necessary rules and regulations  
 372 for the administration and supervision of the property and  
 373 personnel of the district; for the prevention of fires, fire  
 374 control, fire hydrant placement, and flow testing in accordance  
 375 with current NFPA rules; and for rescue work within the  
 376 district. Said commissioners shall have all the lawful power and  
 377 authority necessary to carry out the purposes of said fire  
 378 district; to purchase all necessary real and personal property;  
 379 to purchase and carry standard insurance policies on all such  
 380 equipment; to employ such personnel as may be necessary to carry  
 381 out the purposes of said fire district; to provide adequate  
 382 insurance for said employees; to purchase and carry appropriate  
 383 insurance for protection of all firefighters and personnel as  
 384 well as all equipment and personal property on loan to the  
 385 district; to sell surplus real and personal property in the same  
 386 manner and subject to the same restrictions as provided for such  
 387 sales by counties; to enter into contracts with qualified  
 388 service providers, the Glendale Fire District of Walton County,  
 389 other fire departments, municipalities, and state and federal  
 390 governmental units for the purpose of obtaining financial aid;

HB 1537

2005

391 and for otherwise carrying out the purposes of the district. The  
392 commissioners shall adopt a fiscal year for said fire district,  
393 which shall be October 1 to September 30.

394 (3) Any policies, rules, and regulations adopted and made  
395 by the board shall have the force and effect of law after copies  
396 thereof, signed by the secretary and chair or vice chair, are  
397 posted in three public places within the district in conspicuous  
398 locations and advertised by title once per week for 2  
399 consecutive weeks in a newspaper of general paid circulation in  
400 the district.

401 (4) The board shall, on or before November 1, make an  
402 annual report of its actions and accounting of its funds as of  
403 September of that year and shall file said report in the Office  
404 of the Clerk of the Circuit Court of Walton County, whose duty  
405 it shall be to receive and file said report and hold and keep  
406 the same as a public record.

407 (5) For the purposes of carrying into effect this act, the  
408 board shall annually prepare, consider, and adopt a district  
409 budget pursuant to the applicable requirements of chapters 189  
410 and 191, Florida Statutes. The board shall, at the same time as  
411 it makes its annual report, file its estimated budget for the  
412 fiscal year beginning October 1, which budget shall show the  
413 estimated revenue to be received by the district and the  
414 estimated expenditures to be incurred by the district in  
415 carrying out its operations.

416 Section 14. Authority to enact fire prevention ordinances;  
417 appoint fire chief, acquire land, enter contracts, establish

418 salaries, general and special powers; authority to provide  
 419 emergency medical and rescue services.--

420 (1) The board of commissioners shall have the right and  
 421 power to enact fire prevention ordinances in the same manner  
 422 provided for the adoption of policies and regulations in  
 423 subsection (2) of section 13, and when the provisions of such  
 424 fire prevention ordinances are determined by the board to be  
 425 violated, the office of the state attorney, upon written notice  
 426 of such violation issued by the board, is authorized to  
 427 prosecute such person or persons held to be in violation  
 428 thereof. Any person found guilty of a violation may be punished  
 429 as provided in chapter 775, Florida Statutes, as a misdemeanor  
 430 of the second degree. The cost of such prosecution shall be paid  
 431 out of district funds, unless otherwise provided by law.

432 (2) The board shall have the power to appoint a fire  
 433 chief, who shall be a person experienced in all types of  
 434 firefighting and fire prevention and who shall work with the  
 435 State Fire Marshal in which the district is situated in the  
 436 prevention of fires of all types. The district fire chief shall  
 437 be authorized to enter, at all reasonable hours, any building or  
 438 premises for the purpose of making any inspection or  
 439 investigation that the State Fire Marshal is authorized to make  
 440 pursuant to state law and regulation. The owner, lessee,  
 441 manager, or operator of any building or premises shall permit  
 442 the district fire chief to enter and inspect the building or  
 443 premises at all reasonable hours. The district fire chief shall  
 444 report any violations of state firesafety laws or regulations to  
 445 the appropriate officials.



446       (3) The board shall have the power to acquire, by gift or  
 447 purchase, lands or rights in lands and any other property, real  
 448 and personal, tangible or intangible, necessary, desirable, or  
 449 convenient for carrying out the purposes of the district and to  
 450 pay any and all costs of same out of the funds of the district,  
 451 provided that prior to the acquisition of the location of a fire  
 452 station site, an appropriate investigation shall be conducted  
 453 that shall include, but not be limited to, obtaining the staff  
 454 recommendation of the Walton County Planning Department.

455       (4) The board shall have the power to enter into contracts  
 456 or to otherwise join with the Glendale Fire District of Walton  
 457 County, or to otherwise join with any other district, city, or  
 458 town, the United States of America, or any agency or authority  
 459 thereof, for the purpose of expanding services, providing  
 460 effective aid, and accomplishing and carrying out the purposes  
 461 for which the district was created and for the further purpose  
 462 of specifically obtaining financial aid, assistance, or subsidy.

463       (5) The salaries of fire department personnel and any  
 464 other wages shall be determined by the board.

465       (6) The district is authorized to establish and maintain  
 466 emergency medical and rescue response services and acquire and  
 467 maintain rescue, medical, and other emergency equipment, subject  
 468 to the provisions of chapter 401, Florida Statutes.

469       Section 15. Annexations.--If any municipality or other  
 470 fire control district annexes any land included in the district,  
 471 such annexation shall follow the procedures set forth in section  
 472 171.093, Florida Statutes, as amended from time to time.

473 Section 16. Dissolution.--The district shall exist until  
474 dissolved in the same manner as it was created. If the Glendale  
475 Fire District of Walton County is dissolved or ceases to exist  
476 for any reason, or if the board determines that the Glendale  
477 Fire District of Walton County is unable to carry out its  
478 objectives as stated in subsection (2) of section 2 or the  
479 district's published policies, the board shall in its discretion  
480 make arrangements for other means of providing fire protection  
481 and rescue services.

482 Section 17. Immunity from tort liability.--

483 (1) The district and its officers, agents, and employees  
484 shall have the same immunity from tort liability as other  
485 agencies and subdivisions of the state. The provisions of  
486 chapter 768, Florida Statutes, as from time to time amended,  
487 shall apply to all claims asserted against the district.

488 (2) The district commissioners and all officers, agents,  
489 and employees of the district shall have the same immunity and  
490 exemption from personal liability as is provided by general law  
491 for state, county, and municipal officers.

492 (3) The district shall defend all claims against the  
493 commissioners, officers, agents, and employees that arise within  
494 the scope of employment or purposes of the district and shall  
495 pay all judgments against said persons, except where said  
496 persons acted in bad faith or with malicious purpose or in a  
497 manner exhibiting wanton and willful disregard of human rights,  
498 safety, or property.

499 Section 18. District expansion.--

500       (1) The district boundaries may be extended from time to  
 501 time as follows:

502       (a) Land contiguous to the boundaries of the district in  
 503 unincorporated Walton County may be included in the district  
 504 when petition for inclusion signed and sworn to by a majority of  
 505 the owners of the real property within the tract or tracts to be  
 506 included in the district has been presented to the board of  
 507 commissioners and the proposal has been approved by the  
 508 affirmative vote of no fewer than three members of the board of  
 509 commissioners at a regular meeting.

510       (b) The petition must contain the legal description of the  
 511 property sought to be added to the district and the names and  
 512 addresses of the owners of the property.

513       (2) If a proposal to add an area to the district as  
 514 described in subsection (1) is approved by the affirmative vote  
 515 of no fewer than three members of the board of commissioners at  
 516 a regular meeting, the board of commissioners shall thereafter  
 517 adopt a resolution describing the lands to be included within  
 518 the district and shall cause such resolution to be duly enrolled  
 519 in the record of the meeting and a certified copy of the  
 520 resolution to be recorded in the Office of the Clerk of the  
 521 Circuit Court of Walton County.

522       (3) Upon adoption of the resolution by the board, the  
 523 district shall, pursuant to chapter 191, Florida Statutes,  
 524 request that its legislative delegation approve said addition  
 525 and sponsor legislation amending the district boundary. Upon  
 526 approval by the Legislature, the boundary shall be amended.

HB 1537

2005

527        (4) Lands within municipal boundaries of cities contiguous  
528 to district boundaries may be included in the district upon  
529 request by the governing board of the municipality, approval of  
530 said request by affirmative vote of no fewer than three members  
531 of the district board, and referendum approval of inclusion by  
532 the electors of the municipality. The referendum shall be  
533 conducted by the municipality at the next available special or  
534 general election.

535        Section 19. Construction.--This act shall be construed as  
536 remedial and shall be liberally construed to promote the purpose  
537 for which it is intended.

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

541        Section 2. This act shall take effect July 1, 2005.