

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

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

Page 1 of 20

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1537-04-er

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

29 | for construction and effect; requiring a referendum;
 30 | providing an effective date.

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

34 | Section 1. Definitions.--As used in this act, unless
 35 | otherwise specified:

36 | (1) "District" means the Glendale Fire District.

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

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

42 | (4) "Commissioner" means a member of the board of
 43 | commissioners of and for the district.

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

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

50 | (7) "Business" means a motel, apartment, or rental
 51 | dwelling, along with any other standard commercial or industrial
 52 | business such as a gasoline station, store, marina, or similar
 53 | establishment, as authorized pursuant to the applicable local
 54 | government comprehensive plan, whether or not such businesses
 55 | are required to pay or collect sales taxes.

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

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

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

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

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

128 Section 3. Board of commissioners.--

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

139 electors shall be pursuant to chapters 189 and 191, Florida
 140 Statutes.

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

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

167 district shall reimburse county government for the actual cost
168 of district elections. No commissioner shall be paid a employee
169 of the district while holding said position. This shall not
170 prevent volunteers receiving reimbursement for expenses from
171 servng as commissioners.

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

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

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

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

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

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

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

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

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

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

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

238 Section 6. Impact fees.--

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

250 to the district for construction within its jurisdictional
 251 boundaries.

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

266 Section 7. Special assessments.--

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

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

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

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

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

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

288 Section 8. Property appraiser.--

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

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

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

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

311 Section 10. Deposit of special assessments; fees;
 312 authority to disburse funds.--

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

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

326 Section 11. Authority to borrow money.--

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

333 percent of the total estimated annual budgeted revenues of the
 334 district.

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

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

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

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

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

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

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

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

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

ENROLLED
 HB 1537, Engrossed 1

2005 Legislature

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

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

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

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

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

480 Section 17. Immunity from tort liability.--

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

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

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

497 Section 18. District expansion.--

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

498 (1) The district boundaries may be extended from time to
499 time as follows:

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

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

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

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

ENROLLED

HB 1537, Engrossed 1

2005 Legislature

525 Section 19. Construction.--This act shall be construed as
526 remedial and shall be liberally construed to promote the purpose
527 for which it is intended.

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

531 Section 21. On or before December 30, 2006, the Board of
532 County Commissioners of Walton County shall call and the
533 Supervisor of Elections of Walton County shall conduct a
534 referendum of the qualified voters of the Glendale Fire District
535 on the question of whether the Glendale Fire District shall be
536 created by special act of the Legislature with authority to
537 impose impact fees pursuant to section 6 of this act and special
538 assessments pursuant to section 7 of this act.

539 Section 22. This act shall take effect only if a majority
540 of those qualified electors of the Glendale Fire District voting
541 in a referendum held pursuant to this act approve the referendum
542 question in accordance with section 21, except that this section
543 and section 21 shall take effect upon becoming a law.