

Bill No. CS for CS for SB 1020

Barcode 562546

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Bennett moved the following **amendment to amendment**  
(352586):

**Senate Amendment (with title amendment)**

On page 50, between lines 22 and 23,

insert:

Section 11. Subsection (11) of section 163.01, Florida  
Statutes, is amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.--

(11) Prior to its effectiveness, an interlocal  
agreement and subsequent amendments thereto shall be filed  
with the clerk of the circuit court of each county where a  
party to the agreement is located. However, if the parties to  
the agreement are located in multiple counties and the  
agreement under subsection (7) provides for a separate legal  
entity or administrative entity to administer the agreement,  
the interlocal agreement and any amendments thereto may be  
filed with the clerk of the circuit court in the county where  
the legal or administrative entity maintains its principal  
place of business.

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1 Section 12. Section 336.68, Florida Statutes, is  
2 created to read:

3 336.68 Special road and bridge district boundaries;  
4 property owner rights and options.--

5 (1) The owner of real property located within both the  
6 boundaries of a community development district created under  
7 chapter 190 and within the boundaries of a special road and  
8 bridge district created by the alternative method of  
9 establishing special road and bridge districts previously  
10 authorized under ss. 336.61-336.67 shall have the option to  
11 select the community development district to be the provider  
12 of the road and drainage improvements to the property of the  
13 owner. Having made the selection, the property owner shall  
14 further have the right to withdraw the property from the  
15 boundaries of the special road and bridge district under the  
16 procedures set forth in this section.

17 (2) To be eligible for withdrawal, the subject  
18 property may not have received improvements or benefits from  
19 the special road and bridge district; there may be no  
20 outstanding bonded indebtedness of the special road and bridge  
21 district for which the property is subject to ad valorem tax  
22 levies; and the withdrawal of the property may not create an  
23 enclave bounded on all sides by the other property within the  
24 boundaries of the district when the property owner withdraws  
25 the property from the boundaries of the district.

26 (3) The election by a property owner to withdraw  
27 property from the boundaries of a district as described in  
28 this section shall be accomplished by filing a certificate in  
29 the official records of the county in which the property is  
30 located. The certificate shall identify the name and mailing  
31 address of the owner, the legal description of the property,

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1 the name of the district from which the property is being  
 2 withdrawn, and the general location of the property within the  
 3 district. The certificate shall further state that the  
 4 property has not received benefits from the district from  
 5 which the property is to be withdrawn; that there is no bonded  
 6 indebtedness owed by the district; and that the property being  
 7 withdrawn will not become an enclave within the district  
 8 boundaries.

9       (4) The property owner shall provide copies of the  
 10 recorded certificate to the governing body of the district  
 11 from which the property is being withdrawn within 10 days  
 12 after the date that the certificate is recorded. If the  
 13 district does not record an objection to the withdrawal of the  
 14 property in the public records within 30 days after the  
 15 recording of the certificate identifying the criteria in this  
 16 section that has not been met, the withdrawal shall be final  
 17 and the property shall be permanently withdrawn from the  
 18 boundaries of the district.

19  
 20 (Redesignate subsequent sections.)

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22

23 ===== T I T L E    A M E N D M E N T =====

24 And the title is amended as follows:

25       On page 53, line 23, after the semicolon,

26

27 insert:

28       amending s. 163.01, F.S.; revising provisions  
 29       for filing certain interlocal agreements and  
 30       amendments; creating s. 336.68, F.S.; providing  
 31       that a property owner having real property

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1 located within the boundaries of a community  
2 development district and a special road and  
3 bridge district may select the community  
4 development district to be the provider of the  
5 road and drainage improvements to the property  
6 of the owner; authorizing the owner of the  
7 property to withdraw the property from the  
8 special road and bridge district; specifying  
9 the procedures and criteria required in order  
10 to remove the real property from the special  
11 road and bridge district; authorizing the  
12 governing body of the special road and bridge  
13 district to file a written objection to the  
14 proposed withdrawal of the property;

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