

1 A bill to be entitled
2 An act relating to Argyle Fire District, Walton County;
3 creating a special district; providing definitions;
4 providing for creation, status, charter amendments,
5 boundaries, and purposes; providing for a board of
6 commissioners; providing for election and terms of
7 commissioners; providing for employment of board
8 personnel; providing for election of board officers;
9 providing for compensation and bonds of commissioners;
10 providing for 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 for 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 rules 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. Argyle Fire District is hereby created and the
 35 charter for the district is created to read:

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

38 (1) "District" means the Argyle 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 Argyle Fire District of Walton County.

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

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

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

51 (7) "Business" means motels, apartments, or rental
 52 dwelling, along with other standard commercial or industrial
 53 businesses such as gasoline stations, stores, marinas, and
 54 similar establishments, as authorized pursuant to the applicable
 55 local government comprehensive plan, whether or not such
 56 businesses are required to pay or collect sales taxes.

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

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

69 Those portions in Township 2 North, Range 18 West
70 which include, entire sections 1 through 24 inclusive.
71 Sections 26 through 29 inclusive. Sections 33 through
72 35 inclusive. And all of Sections 30 and 32 lying East
73 of the center of Bruce Creek.

74 Those portions within Township 2 North, Range 19 West
75 which include, Sections 13 and 24 lying East of the
76 center of Bruce Creek. Sections 1 and 2 lying outside
77 of the present city limits of DeFuniak Springs.

78 Those portions in Township 3 North, Range 18 West
79 which include, Sections 4 through 9 inclusive. Sections
80 16 through 21 inclusive. Sections 28 through 29
81 inclusive. Sections 32 and 33 inclusive. Those
82 portions of Sections 30 and 31 lying outside of the
83 present city limits of DeFuniak Springs.

HB 1413

2006

84 Those portions in Township 3 North, Range 19 West
85 which include, those parts of Sections 1 and 2 lying
86 South of the centerline of County Road 1883 and
87 Sunrise Road. The portion of Section 3 lying south of
88 the centerline of Sunrise Road. The portion of Section
89 10 lying North and Southeast of Lake Juniper. Entire
90 Sections 11, 12, 13, 14 and 24. Those portions of
91 Section 15 lying East of a line running North and
92 South from the center of the Lake Juniper Dam and
93 lying outside of the present city limits of DeFuniak
94 Springs. The portion of Section 22 lying East of a
95 line running North and South from the center of the
96 Lake Juniper Dam and lying outside of the present city
97 limits of DeFuniak Springs. Those portions of section
98 23, 24, 25, and 36 lying North and or East of the
99 present city limits of DeFuniak Springs.

100 Those portions within Township 4 North, Range 18 West
101 which include, those portions of Section 31, lying
102 South of the centerline of Coy Ellis Road. Those parts
103 of Sections 32 and 33 lying South of the centerline of
104 County Road 183 North. The portion of Section 33 lying
105 East of County Road 183A.

106 The portion within Township 4 North, Range 19 West
107 which includes, that part of Section 36 lying South
108 and East of County Road 1883 and Coy Ellis Road.

109 (2) The purpose of this act is to promote the general
110 health, welfare, and safety of the citizens and residents of
111 Walton County who reside within the geographical limits of the

112 Argyle Fire District by providing for the financial support of
113 the Argyle Fire District of Walton County, a not-for-profit
114 corporation, which currently provides the district with fire
115 protection services, facilities, and firefighting equipment; the
116 establishment and maintenance of fire stations and fire
117 substations; the acquisition and maintenance of all firefighting
118 and protection equipment necessary for the prevention of fires
119 or fighting of fires; the employment and training of such
120 personnel as may be necessary to accomplish fire prevention and
121 firefighting; the establishment and maintenance of emergency
122 services; the acquisition and maintenance of rescue and other
123 emergency equipment; and the employment and training of
124 necessary emergency personnel. The district may provide
125 emergency medical services. The district shall have all other
126 powers necessary to carry out these purposes.

127 (3) Nothing herein shall prevent the district from
128 cooperating with the state or other local governments to render
129 such services to communities adjacent to the land described in
130 this section as evidenced by a signed aid agreement.

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

133 Section 3. Board of commissioners.--

134 (1) Pursuant to chapter 191, Florida Statutes, the
135 business and affairs of the district shall be governed and
136 administered by a board of five commissioners, who shall be
137 qualified electors residing within the district and shall be
138 elected by the qualified electors residing within the district
139 at a general election, subject to the provisions of chapters 189

140 and 191, Florida Statutes, and this act. Each commissioner shall
141 hold office until his or her successor is elected and qualified
142 under the provisions of this act. The procedures for conducting
143 district elections and for qualification of candidates and
144 electors shall be pursuant to chapters 189 and 191, Florida
145 Statutes.

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

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

163 (4) All elections shall be noticed, called, and held
164 pursuant to the provisions of the general laws of the state,
165 except as otherwise provided herein. The board shall, to the
166 extent possible, coordinate all elections with countywide
167 general or special elections in order to minimize costs.

HB 1413

2006

168 Elections shall be called through the adoption of an appropriate
169 resolution of the district directed to the Board of County
170 Commissioners of Walton County, the Supervisor of Elections of
171 Walton County, and other appropriate officers of the county. The
172 district shall reimburse county government for the actual cost
173 of district elections. No commissioner shall be a paid employee
174 of the district while holding said position. This shall not
175 prevent volunteers from receiving reimbursement for expenses
176 from serving as commissioners.

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

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

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

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.

HB 1413

2006

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

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

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

217 (2) The board shall continue to have the right, power, and
218 authority to levy annually special assessment against the
219 taxable property 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.

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.

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

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

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

237 Section 6. Impact fees.--

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

HB 1413

2006

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

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

265 Section 7. Special assessments.--

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

270 (2) (a) For each residential dwelling or mobile home
271 situated on any parcel of land within said district, the charge
272 shall be \$25 annually. It is expressly understood that mobile
273 home parks or multiunit dwellings are not included in this
274 category and shall be included in paragraph (b).

275 (b) For each mobile home park, apartment building, motel,
 276 hotel, condominium, townhouse, or other multifamily residence,
 277 the charge shall not exceed:

- 278 1. 2 to 4 units or lots, \$25 each annually.
- 279 2. 5 to 10 units or lots, \$20 each annually.
- 280 3. 11 to 25 units or lots, \$18 each annually.
- 281 4. Over 25 units or lots, \$15 each annually.

282 (c) For each commercial establishment or business, the
 283 charge shall not exceed the following rates:

- 284 1. Up to 5,000 square feet of floor space: \$50 annually.
- 285 2. Over 5,000 square feet of floor space: \$100 annually.

286
 287 The existence of a commercial establishment or business shall be
 288 evidenced by the presence of advertising signs, by tax roll
 289 classification, or by custom. Business enterprises wholly
 290 contained within a residential unit shall not be included in
 291 this category and shall be included under paragraph (a).
 292 Multifamily residential units and mobile home parks shall be
 293 included under paragraph (b).

294 (d) No assessment shall be levied for any parcel of
 295 agricultural, timber, unimproved residential, or other
 296 unimproved property. Adjoining parcels owned by an individual
 297 taxpayer will be treated as one parcel for assessment purposes,
 298 even though they may be shown as separate items on the county
 299 tax roll.

300 (e) No assessment shall be levied against churches,
 301 schools, governmental property, or property owned by other
 302 nonprofit charitable organizations.

303 (f) Any increase in the special assessment must be
 304 approved by a majority of the electors within the Argyle Fire
 305 District.

306 (3) It is the legislative intent that this act shall
 307 authorize the Walton County Property Appraiser and the Walton
 308 County Tax Collector to take all appropriate action to comply
 309 with the intent of the purpose of this act.

310 (4) It is also the legislative intent that the board of
 311 commissioners shall be a vehicle to provide funding to
 312 accomplish the purpose set out in this act.

313 Section 8. Property appraiser.--

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

317 (2) The Walton County Property Appraiser shall include in
 318 the Walton County tax roll the assessments made by the board,
 319 and the same shall be collected in the manner as provided for by
 320 this act and paid over by the Walton County Tax Collector to the
 321 board.

322 (3) The Walton County Property Appraiser shall be
 323 reimbursed for assessing such special assessments in the manner
 324 and amount authorized by general law, and the Walton County Tax
 325 Collector shall receive a commission or fee of 3 percent for
 326 collection of such special assessments.

327 Section 9. Special assessment as a lien.--The special
 328 assessment levied and assessed by the district shall be a lien
 329 upon the property so assessed along with the county taxes
 330 assessed against such property until said assessment and taxes

331 have been paid, and if the special assessment levied by the
332 district becomes delinquent, such special assessment shall be
333 considered a part of the county tax subject to the same
334 penalties, charges, fees, and remedies for enforcement and
335 collection of such taxes.

336 Section 10. Deposit of special assessments; fees;
337 authority to disburse funds.--

338 (1) The proceeds of the assessments and funds of the
339 district shall be deposited in qualified public depositories in
340 accordance with chapters 191 and 280, Florida Statutes, in the
341 name of the district in a bank authorized to receive deposits of
342 district funds. The bank shall be designated by a resolution of
343 the board.

344 (2) All warrants for the payment of labor, equipment, and
345 other expenses of the board, and in carrying into effect this
346 act and the purpose thereof, shall be payable by the treasurer
347 of the board on accounts and vouchers approved and authorized by
348 two board members. No funds of the district shall be paid out or
349 disbursed except by check signed by two board members.

350 Section 11. Authority to borrow money.--

351 (1) The board of commissioners shall have the power and
352 authority to borrow money or issue other evidences of
353 indebtedness for the purpose of the district in accordance with
354 chapters 189 and 191, Florida Statutes, provided, however, that
355 the total payments in any one year, including principal and
356 interest, on any indebtedness incurred by the district shall not
357 exceed 50 percent of the total estimated annual budgeted
358 revenues of the district.

359 (2) The board of commissioners, board of directors as a
 360 body, or any of the members of either board as individuals shall
 361 not be personally or individually liable for the repayment of
 362 such loan. Such repayment shall be made out of the special
 363 assessment receipts of the district, except as provided in this
 364 subsection. The commissioners shall not create any indebtedness
 365 or incur obligations for any sum or amount which they are unable
 366 to repay out of district funds available to them at that time,
 367 except as otherwise provided in this act, provided, however,
 368 that the commissioners may make purchases of equipment on an
 369 installment basis as necessary if funds are available for the
 370 payment of the current year's installment on such equipment plus
 371 the amount due in that year of any of the installments and the
 372 repayment of any bank loan or other existing indebtedness which
 373 may be due that year.

374 Section 12. Use of district funds.--No funds of the
 375 district shall be used for any purposes other than the
 376 administration of the affairs and business of the district; the
 377 construction, care, maintenance, upkeep, operation, and purchase
 378 of firefighting and rescue equipment or fire station; the
 379 payment of public utilities; and the payment of salaries of
 380 district personnel as the board may from time to time determine
 381 to be necessary for the operations and effectiveness of the
 382 district.

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

385 (1) A record shall be kept of all meetings of the board,
 386 and in such meetings concurrence of a majority of the

387 commissioners present shall be necessary to any affirmative
388 action by the board.

389 (2) The board shall have the authority to adopt and amend
390 rules and regulations for the administration of the affairs of
391 the district under the terms of this act and chapters 189 and
392 191, Florida Statutes, which shall include, but not be limited
393 to, the authority to adopt the necessary rules and regulations
394 for the administration and supervision of the property and
395 personnel of the district; for the prevention of fires, fire
396 control, fire hydrant placement, and flow testing in accordance
397 with current NFPA rules; and for rescue work within the
398 district. Said commissioners shall have all the lawful power and
399 the authority necessary to carry out the purposes of said fire
400 district; to purchase all necessary real and personal property;
401 to purchase and carry standard insurance policies on all such
402 equipment; to employ such personnel as may be necessary to carry
403 out the purpose of said fire district; to provide adequate
404 insurance for said employees; to purchase and carry appropriate
405 insurance for the protection of all firefighters and personnel
406 as well as all equipment and personal property on loan to the
407 district; to sell surplus real and personal property in the same
408 manner and subject to the same restrictions as provided for such
409 sales by counties; to enter into contracts with qualified
410 service providers, the Argyle Fire District of Walton County,
411 other fire departments, municipalities, and state and federal
412 governmental units for the purpose of obtaining financial aid;
413 and for otherwise carrying out the purposes of the district. The

414 commissioners shall adopt a fiscal year for said fire district,
 415 which shall be October 1 to September 30.

416 (3) Any policies, rules, and regulations promulgated and
 417 made by the board shall have the force and effect of law after
 418 copies thereof, signed by the secretary and chair or vice chair,
 419 shall have been posted in three public places within the
 420 district in conspicuous locations and advertised by title once a
 421 week for 2 consecutive weeks in a newspaper of general paid
 422 circulation in the district.

423 (4) The board shall, on or before November 1, make an
 424 annual report of its actions and accounting of its funds as of
 425 September of that year, and shall file said report in the office
 426 of the Clerk of the Circuit Court of Walton County, whose duty
 427 it shall be to receive and file said report and hold and keep
 428 the same as a public record.

429 (5) For the purposes of carrying into effect this act, the
 430 board shall annually prepare, consider, and adopt a district
 431 budget pursuant to the applicable requirements of chapters 189
 432 and 191, Florida Statutes. The board shall, at the same time as
 433 it makes its annual report, file its estimated budget for the
 434 fiscal year beginning October 1, which budget shall show the
 435 estimated revenue to be received by the district and the
 436 estimated expenditures to be incurred by the district in
 437 carrying out its operations.

438 Section 14. Authority to enact fire prevention ordinances;
 439 appoint or employ a fire chief; acquire land; enter contracts;
 440 establish salaries; general and special powers; authority to
 441 provide emergency medical and rescue services.--

442 (1) The board of commissioners shall have the right and
443 power to enact fire prevention ordinances in the same manner
444 provided for the adoption of policies and regulations in
445 subsection (2) of section 13, and when the provisions of such
446 fire prevention ordinances are determined by the board to be
447 violated, the office of the state attorney, upon written notice
448 of such violation issued by the board, is authorized to
449 prosecute such person or persons held to be in violation
450 thereof. Any person found guilty of a violation may be punished
451 as provided in chapter 775, Florida Statutes, as a misdemeanor
452 of the second degree. The cost of such prosecution shall be paid
453 out of the district funds, unless otherwise provided by law.

454 (2) The board shall have the power to appoint or employ a
455 fire chief, who shall be a person experienced in all types of
456 firefighting and fire prevention and who shall work with and
457 cooperate with the Fire Marshal in which the district is
458 situated in the prevention of fires of all types. The district
459 fire chief shall be authorized to enter, at all reasonable
460 hours, any building or premises for the purpose of making any
461 inspection or investigation which the State Fire Marshal is
462 authorized to make pursuant to state law and regulation. The
463 owner, lessee, manager, or operator of any building or premises
464 shall permit the district fire chief to enter and inspect the
465 building or premises at all reasonable hours. The district fire
466 chief shall report any violations of state fire safety laws or
467 regulations to the appropriate officials.

468 (3) The board shall have the power to acquire, by gift or
469 purchase, lands or rights in lands, and any other property, real

HB 1413

2006

470 and personal, tangible or intangible, necessary, desirable, or
471 convenient for carrying out the purposes of the district, and to
472 pay any and all costs of same out of the funds of the district,
473 provided that prior to the acquisition of the location of a fire
474 station site, an appropriate investigation shall be conducted
475 which shall include, but not be limited to, obtaining the staff
476 recommendation of the Walton County Planning Department.

477 (4) The board shall have the power to enter into contracts
478 or to otherwise join with the Argyle Fire District of Walton
479 County, or to otherwise join with any other district, city, or
480 town, the United States of America, or any agency or authority
481 thereunder, for the purpose of expanding services, providing
482 effective aid, and accomplishing and carrying out the purposes
483 for which the district was created and for the further purpose
484 of specifically obtaining financial aid, assistance, or subsidy.

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

487 (6) The district is authorized to establish and maintain
488 emergency medical and rescue response services and acquire and
489 maintain rescue, medical, and other emergency equipment, subject
490 to the provisions of chapter 401, Florida Statutes.

491 Section 15. Annexations.--If any municipality or other
492 fire control district annexes any land included in the district,
493 such annexation shall follow the procedures set forth in section
494 171.093, Florida Statutes.

495 Section 16. Dissolution.--The district shall exist until
496 dissolved in the same manner as it was created. If the Argyle
497 Fire District of Walton County is dissolved or ceases to exist

498 for any reason, or if the board determines that the Argyle Fire
 499 District of Walton County is unable to carry out its objectives
 500 as stated or the objectives of the district as stated in
 501 subsection (2) of section 2, or the district's published
 502 policies, the board shall in its discretion make arrangements
 503 for other means of providing fire protection and rescue
 504 services.

505 Section 17. Immunity from tort liability.--

506 (1) The district and its officers, agents, and employees
 507 shall have the same immunity from tort liability as other
 508 agencies and subdivisions of the state. The provisions of
 509 chapter 768, Florida Statutes, shall apply to all claims
 510 asserted against the district.

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

515 (3) The district shall defend all claims against the
 516 commissioners, officers, agents, and employees which arise
 517 within the scope of employment or purposes of the district and
 518 shall pay all judgments against said persons, except where said
 519 persons acted in bad faith or with malicious purpose or in a
 520 manner exhibiting wanton and willful disregard of human rights,
 521 safety, or property.

522 Section 18. District expansion.--

523 (1) The district boundaries may be extended from time to
 524 time as follows:

525 (a) Land contiguous to the boundaries of the district in
 526 unincorporated Walton County may be included in the district
 527 when a petition for inclusion signed and sworn to by a majority
 528 of the owners of the real property within the tract or tracts to
 529 be included in the district has been presented to the board of
 530 commissioners and the proposal has been approved by the
 531 affirmative vote of no fewer than three members of the board of
 532 commissioners at a regular meeting.

533 (b) The petition must contain the legal description of the
 534 property sought to be added to the district and the names and
 535 addresses of the owners of the property.

536 (2) If a proposal to add an area to the district as
 537 defined in subsection (1) is approved by the affirmative vote of
 538 no fewer than three members of the board of commissioners at a
 539 regular meeting, the board of commissioners shall thereafter
 540 adopt a resolution describing the lands to be included within
 541 the district and shall cause such resolution to be duly enrolled
 542 in the record of the meeting and a certified copy of the
 543 resolution to be recorded in the Office of the Clerk of the
 544 Circuit Court of Walton County.

545 (3) Upon adoption of the resolution by the board, the
 546 district shall, pursuant to chapter 191, Florida Statutes,
 547 request that its legislative delegation approve said addition
 548 and sponsor legislation amending the district boundary. Upon
 549 approval by the Legislature, the boundary shall be amended.

550 (4) Lands within municipal boundaries of cities contiguous
 551 to district boundaries may be included in the district upon
 552 request by the governing board of the municipality, approval of

HB 1413

2006

553 said request by affirmative vote of no fewer than three members
554 of the district board, and referendum approval of inclusion by
555 the electors of the municipality. The referendum shall be
556 conducted by the municipality at the next available special or
557 general election.

558 Section 19. Construction.--This act shall be construed as
559 remedial and shall be liberally construed to promote the purpose
560 for which it is intended.

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

564 Section 2. This act shall take effect upon becoming a law.