

CHAMBER ACTION

1 The Growth Management Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to community redevelopment; amending s.
7 163.340, F.S.; revising certain definitions; defining the
8 term "taxing authority"; amending s. 163.346, F.S.;
9 revising criteria for a notice to taxing authorities;
10 creating s. 163.354, F.S.; authorizing a local governing
11 body to adopt a resolution establishing a slum and blight
12 study area under certain circumstances; amending s.
13 163.360, F.S.; specifying additional procedures required
14 for adoption of community redevelopment plans by the
15 governing body of certain counties for certain community
16 redevelopment agencies; amending s. 163.361, F.S.;
17 specifying additional procedures required for adoption of
18 a modified community redevelopment plan by a governing
19 body of certain counties for certain community
20 redevelopment agencies; amending s. 163.370, F.S.;
21 revising provisions relating to powers of counties,
22 municipalities, and community redevelopment agencies;
23 revising provisions relating to projects ineligible for

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24 increment revenues; amending s. 163.387, F.S.; revising
 25 provisions relating to redevelopment trust funds;
 26 providing limitations on the amount of tax increment
 27 contributions by a taxing authority for certain community
 28 redevelopment agencies; authorizing a community
 29 redevelopment agency to waive certain increment payment
 30 penalties; authorizing alternate provisions in certain
 31 interlocal agreements to supersede certain provisions of
 32 law; amending s. 163.410, F.S.; providing additional
 33 requirements for requests for information relating to
 34 requests for delegation of certain powers; providing an
 35 effective date.

36
 37 Be It Enacted by the Legislature of the State of Florida:

38
 39 Section 1. Subsections (2) and (10) of section 163.340,
 40 Florida Statutes, are amended, and subsection (24) is added to
 41 that section, to read:

42 163.340 Definitions.--The following terms, wherever used
 43 or referred to in this part, have the following meanings:

44 (2) "Public body" ~~or "taxing authority"~~ means the state or
 45 any county, municipality, authority, special district as defined
 46 in s. 165.031(5), or other public body of the state, except a
 47 school district.

48 (10) "Community redevelopment area" means a slum area, a
 49 blighted area, or an area in which there is a shortage of
 50 housing that is affordable to residents of low or moderate
 51 income, including the elderly, or a coastal and tourist area

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52 | that is deteriorating and economically distressed due to
 53 | outdated building density patterns, inadequate transportation
 54 | and parking facilities, faulty lot layout or inadequate street
 55 | layout, or a combination thereof which the governing body
 56 | designates as appropriate for community redevelopment. For
 57 | community redevelopment agencies created after July 1, 2006, a
 58 | community redevelopment area may not consist of more than 80
 59 | percent of the municipality without approval by the county.

60 | (24) "Taxing authority" means a public body that levies an
 61 | ad valorem tax on real property located in a community
 62 | redevelopment area. The term excludes a public body exempted
 63 | pursuant to s. 163.387(2) from the obligation to appropriate
 64 | increment revenues to a redevelopment trust fund.

65 | Section 2. Section 163.346, Florida Statutes, is amended
 66 | to read:

67 | 163.346 Notice to taxing authorities.--Before the
 68 | governing body adopts any resolution or enacts any ordinance
 69 | required under s. 163.354, s. 163.355, s. 163.356, s. 163.357,
 70 | or s. 163.387; establishes a study area; creates a community
 71 | redevelopment agency; approves, adopts, or amends a community
 72 | redevelopment plan; or issues redevelopment revenue bonds under
 73 | s. 163.385, the governing body must provide public notice of
 74 | such proposed action pursuant to s. 125.66(2) or s.
 75 | 166.041(3)(a) and, at least 15 days before such proposed action,
 76 | mail by registered mail a notice to each taxing authority which
 77 | levies ad valorem taxes on taxable real property contained
 78 | within the geographic boundaries of the redevelopment area.

79 Section 3. Section 163.354, Florida Statutes, is created
80 to read:

81 163.354 Development of study area.--Prior to adopting a
82 resolution making a finding of necessity required by s. 163.355,
83 the governing body may adopt a resolution establishing a slum
84 and blight study area.

85 Section 4. Paragraph (d) is added to subsection (2) of
86 section 163.360, Florida Statutes, and subsection (6) of that
87 section is amended, to read:

88 163.360 Community redevelopment plans.--

89 (2) The community redevelopment plan shall:

90 (d) The agency may contract with qualified nonprofit
91 organizations, faith-based organizations, or other entities to
92 develop and provide affordable and workforce housing in the
93 redevelopment area and use tax increment dollars to offer
94 incentives for such development, including, but not limited to,
95 low interest or no interest loans through qualified lenders or
96 the agency itself; revolving loans; façade improvement loans or
97 grants; matching, seed, or leverage dollars for loans or grants;
98 developer subsidies; and any other incentives determined to be
99 needed by the agency. For purposes of this paragraph, the term
100 "affordable housing" means housing that meets the definition of
101 affordable under s. 420.0004(3) and the term "workforce housing"
102 means housing for which the monthly rents or monthly mortgage
103 payments, including taxes, insurance, and utilities, do not
104 exceed 30 percent of that amount which represents the percentage
105 of the median adjusted gross annual income for the households
106 whose income is 150 percent of the median income of the area.

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107 (6) (a) The governing body shall hold a public hearing on a
108 community redevelopment plan after public notice thereof by
109 publication in a newspaper having a general circulation in the
110 area of operation of the county or municipality. The notice
111 shall describe the time, date, place, and purpose of the
112 hearing, identify generally the community redevelopment area
113 covered by the plan, and outline the general scope of the
114 community redevelopment plan under consideration.

115 (b) For any community redevelopment agency that had not
116 authorized a finding of necessity study by June 5, 2006, had not
117 created a community redevelopment agency by December 31, 2006,
118 had not adopted a community redevelopment plan by March 7, 2007,
119 and was not created pursuant to a delegation of authority under
120 s. 163.410 by a county that has adopted a home rule charter, the
121 following additional procedures are required prior to adoption
122 by the governing body of a community redevelopment plan under
123 subsection (7):

124 1. Within 30 days after receipt of any community
125 redevelopment plan recommended by a community redevelopment
126 agency under subsection (5), the county may provide written
127 notice by registered mail to the governing body of the
128 municipality that the county has competing policy goals and
129 plans for the public funds the county would be required to
130 contribute to the tax increment under the proposed community
131 redevelopment plan.

132 2. If the notice required in subparagraph 1. is timely
133 provided, the board of county commissioners and the governing
134 body of the municipality that created the community

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135 redevelopment agency shall schedule and hold a joint hearing co-
136 chaired by the county commission chair and the mayor of the
137 municipality, with the agenda to be set by the county commission
138 chair, at which the competing policy goals for the public funds
139 shall be discussed. Any such hearing must be held within 90 days
140 after receipt by the county of the recommended community
141 redevelopment plan. Prior to the joint public hearing, the
142 county may propose an alternative redevelopment plan to address
143 the conditions identified in the resolution making a finding of
144 necessity required by s. 163.355. If such an alternative
145 modified redevelopment plan is proposed by the county, such plan
146 shall be delivered to the governing body of the municipality
147 that created the community redevelopment agency at least 30 days
148 prior to holding the joint meeting.

149 3. If the notice required in subparagraph 1. is timely
150 provided, the municipality may not proceed with the adoption of
151 the plan under subsection (7) until 30 days after the joint
152 hearing unless the board of county commissioners has failed to
153 schedule and attend the joint hearing within the required 90-day
154 period.

155 4. Notwithstanding the time requirements established in
156 subparagraphs 2. and 3., the county and the municipality may at
157 any time voluntarily use the dispute resolution process
158 established in chapter 164 to attempt to resolve any competing
159 policy goals between the county and municipality related to the
160 community redevelopment agency. Nothing in this subparagraph
161 grants the county or the municipality the authority to require

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162 the other local government to participate in the dispute
163 resolution process.

164 Section 5. Subsection (3) of section 163.361, Florida
165 Statutes, is amended to read:

166 163.361 Modification of community redevelopment plans.--

167 (3) (a) In addition to the requirements of s. 163.346, and
168 prior to the adoption of any modification to a community
169 redevelopment plan that expands the boundaries of the community
170 redevelopment area or extends the time certain set forth in the
171 redevelopment plan as required by s. 163.362(10), the agency
172 shall report such proposed modification to each taxing authority
173 in writing or by an oral presentation, or both, regarding such
174 proposed modification.

175 (b) For any community redevelopment agency that was not
176 created pursuant to a delegation of authority under s. 163.410
177 by a county that has adopted a home rule charter and that
178 modifies its adopted community redevelopment plan in a manner
179 that expands the boundaries of the redevelopment area after
180 October 1, 2006, the following additional procedures are
181 required prior to adoption by the governing body of a modified
182 community redevelopment plan:

183 1. Within 30 days after receipt of any report of a
184 proposed modification that expands the boundaries of the
185 redevelopment area, the county may provide notice by registered
186 mail to the governing body of the municipality that the county
187 has competing policy goals and plans for the public funds the
188 county would be required to contribute to the tax increment

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189 under the proposed modification to the community redevelopment
190 plan.

191 2. If the notice required in subparagraph 1. is timely
192 provided, the board of county commissioners and the governing
193 body of the municipality that created the community
194 redevelopment agency shall schedule and hold a joint hearing co-
195 chaired by the county commission chair and the mayor of the
196 municipality, with the agenda to be set by the county commission
197 chair, at which the competing policy goals for the public funds
198 shall be discussed. Any such hearing shall be held within 90
199 days after receipt by the county of the recommended modification
200 of the adopted community redevelopment plan. Prior to the joint
201 public hearing, the county may propose an alternative modified
202 community redevelopment plan to address the conditions
203 identified in the resolution making a finding of necessity
204 required under s. 163.355. If such an alternative modified
205 redevelopment plan is proposed by the county, such plan shall be
206 delivered to the governing body of the municipality that created
207 the community redevelopment agency at least 30 days prior to
208 holding the joint meeting.

209 3. If the notice required in subparagraph 1. is timely
210 provided, the municipality may not proceed with the adoption of
211 the plan under s. 163.360(7) until 30 days after the joint
212 hearing unless the board of county commissioners has failed to
213 schedule and attend the joint hearing within the required 90-day
214 period.

215 4. Notwithstanding the time requirements established in
216 subparagraphs 2. and 3., the county and the municipality may at

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217 any time voluntarily use the dispute resolution process
218 established in chapter 164 to attempt to resolve any competing
219 policy goals between the county and municipality related to the
220 community redevelopment agency. Nothing in this subparagraph
221 grants the county or the municipality the authority to require
222 the other local government to participate in the dispute
223 resolution process.

224 Section 6. Paragraphs (c), (e), (h), and (n) of subsection
225 (1), paragraphs (b) and (c) of subsection (2), and paragraph (a)
226 of subsection (3) of section 163.370, Florida Statutes, are
227 amended to read:

228 163.370 Powers; counties and municipalities; community
229 redevelopment agencies.--

230 (1) Every county and municipality shall have all the
231 powers necessary or convenient to carry out and effectuate the
232 purposes and provisions of this part, including the following
233 powers in addition to others herein granted:

234 (c) To undertake and carry out community redevelopment and
235 related activities within the community redevelopment area,
236 which ~~redevelopment~~ may include:

237 1. Acquisition of a slum area or a blighted area or
238 portion thereof.

239 2. Demolition and removal of buildings and improvements.

240 3. Installation, construction, or reconstruction of
241 streets, utilities, parks, playgrounds, public areas of major
242 hotels that are constructed in support of convention centers,
243 including meeting rooms, banquet facilities, parking garages,
244 lobbies, and passageways, and other improvements necessary for

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245 carrying out in the community redevelopment area the community
246 redevelopment objectives of this part in accordance with the
247 community redevelopment plan.

248 4. Disposition of any property acquired in the community
249 redevelopment area at its fair value for uses in accordance with
250 the community redevelopment plan as provided in s. 163.380.

251 5. Carrying out plans for a program of voluntary or
252 compulsory repair and rehabilitation of buildings or other
253 improvements in accordance with the community redevelopment
254 plan.

255 6. Acquisition of real property in the community
256 redevelopment area which, under the community redevelopment
257 plan, is to be repaired or rehabilitated for dwelling use or
258 related facilities, repair or rehabilitation of the structures
259 for guidance purposes, and resale of the property.

260 7. Acquisition of any other real property in the community
261 redevelopment area when necessary to eliminate unhealthful,
262 unsanitary, or unsafe conditions; lessen density; eliminate
263 obsolete or other uses detrimental to the public welfare; or
264 otherwise to remove or prevent the spread of blight or
265 deterioration or to provide land for needed public facilities.

266 8. Acquisition, without regard to any requirement that the
267 area be a slum or blighted area, of air rights in an area
268 consisting principally of land in highways, railway or subway
269 tracks, bridge or tunnel entrances, or other similar facilities
270 which have a blighting influence on the surrounding area and
271 over which air rights sites are to be developed for the
272 elimination of such blighting influences and for the provision

273 | of housing (and related facilities and uses) designed
 274 | specifically for, and limited to, families and individuals of
 275 | low or moderate income.

276 | 9. Construction of foundations and platforms necessary for
 277 | the provision of air rights sites of housing (and related
 278 | facilities and uses) designed specifically for, and limited to,
 279 | families and individuals of low or moderate income.

280 | (e) Within the community redevelopment area:

281 | 1. To enter into any building or property in any community
 282 | redevelopment area in order to make inspections, surveys,
 283 | appraisals, soundings, or test borings and to obtain an order
 284 | for this purpose from a court of competent jurisdiction in the
 285 | event entry is denied or resisted.

286 | 2. To acquire by purchase, lease, option, gift, grant,
 287 | bequest, devise, eminent domain, or otherwise any personal or
 288 | real property ~~(or personal property for its administrative~~
 289 | ~~purposes)~~, together with any improvements thereon; except that a
 290 | community redevelopment agency may not exercise any power of
 291 | eminent domain unless the exercise has been specifically
 292 | approved by the governing body ~~of the county or municipality~~
 293 | ~~which established the agency.~~

294 | 3. To hold, improve, clear, or prepare for redevelopment
 295 | any such property.

296 | 4. To mortgage, pledge, hypothecate, or otherwise encumber
 297 | or dispose of any real property.

298 | 5. To insure or provide for the insurance of any real or
 299 | personal property or operations of the county or municipality

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300 against any risks or hazards, including the power to pay
301 premiums on any such insurance.

302 6. To enter into any contracts necessary to effectuate the
303 purposes of this part.

304 7. To solicit requests for proposals for redevelopment of
305 parcels of real property contemplated by a community
306 redevelopment plan to be acquired for redevelopment purposes by
307 a community redevelopment agency and, as a result of such
308 requests for proposals, to advertise for the disposition of such
309 real property to private persons pursuant to s. 163.380 prior to
310 acquisition of such real property by the community redevelopment
311 agency.

312 (h) ~~Within its area of operation,~~ To make or have made all
313 surveys and plans necessary to the carrying out of the purposes
314 of this part; to contract with any person, public or private, in
315 making and carrying out such plans; and to adopt or approve,
316 modify, and amend such plans, which plans may include, but are
317 not limited to:

318 1. Plans for carrying out a program of voluntary or
319 compulsory repair and rehabilitation of buildings and
320 improvements.

321 2. Plans for the enforcement of state and local laws,
322 codes, and regulations relating to the use of land and the use
323 and occupancy of buildings and improvements and to the
324 compulsory repair, rehabilitation, demolition, or removal of
325 buildings and improvements.

326 3. Appraisals, title searches, surveys, studies, and other
327 plans and work necessary to prepare for the undertaking of
328 community redevelopment and related activities.

329 (n) ~~Within its area of operation,~~ To organize, coordinate,
330 and direct the administration of the provisions of this part, as
331 they may apply to such county or municipality, in order that the
332 objective of remedying slum and blighted areas and preventing
333 the causes thereof within such county or municipality may be
334 most effectively promoted and achieved and to establish such new
335 office or offices of the county or municipality or to reorganize
336 existing offices in order to carry out such purpose most
337 effectively.

338 (2) The following projects may not be paid for or financed
339 by increment revenues:

340 (b) Installation, construction, reconstruction, repair, or
341 alteration of any publicly owned capital improvements or
342 projects ~~which are not an integral part of or necessary for~~
343 ~~carrying out the community redevelopment plan if such projects~~
344 ~~or improvements are normally financed by the governing body with~~
345 ~~user fees or if such projects or improvements~~ were scheduled to
346 ~~would~~ be installed, constructed, reconstructed, repaired, or
347 altered within 3 years of the approval of the community
348 redevelopment plan by the governing body pursuant to a
349 previously approved public capital improvement or project
350 schedule or plan of the governing body which approved the
351 community redevelopment plan unless and until such projects or
352 improvements have been removed from such schedule or plan of the
353 governing body and 3 years have elapsed since such removal.

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354 (c) General government operating expenses, including
 355 payments or reimbursements for services provided to the agency
 356 by any public body, unrelated to the planning and carrying out
 357 of a community redevelopment plan.

358 (3) With the approval of the governing body, a community
 359 redevelopment agency may:

360 (a) Prior to approval of a community redevelopment plan or
 361 approval of any modifications of the plan, acquire real property
 362 in a community redevelopment area, demolish and remove any
 363 structures on the property, and pay all costs related to the
 364 acquisition, demolition, or removal, including any
 365 administrative or relocation expenses, provided such acquisition
 366 is not pursuant to s. 163.375.

367 Section 7. Subsection (1), paragraphs (a), (b), and (c) of
 368 subsection (2), and subsections (3) through (8) of section
 369 163.387, Florida Statutes, are amended to read:

370 163.387 Redevelopment trust fund.--

371 (1)(a) After approval of a community redevelopment plan,
 372 there may ~~shall~~ be established for each community redevelopment
 373 agency created under s. 163.356 a redevelopment trust fund.
 374 Funds allocated to and deposited into this fund shall be used by
 375 the agency to finance or refinance any community redevelopment
 376 it undertakes pursuant to the approved community redevelopment
 377 plan. No community redevelopment agency may receive or spend any
 378 increment revenues pursuant to this section unless and until the
 379 governing body has, by ordinance, created the trust fund and
 380 provided for the funding of the redevelopment trust fund until
 381 the time certain set forth in the ~~for the duration of a~~

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382 community redevelopment plan as required by s. 163.362(10). Such
383 ordinance may be adopted only after the governing body has
384 approved a community redevelopment plan. The annual funding of
385 the redevelopment trust fund shall be in an amount not less than
386 that increment in the income, proceeds, revenues, and funds of
387 each taxing authority derived from or held in connection with
388 the undertaking and carrying out of community redevelopment
389 under this part. Absent an interlocal agreement between the
390 taxing authorities contributing to the trust fund created
391 pursuant to this section, such increment shall be determined
392 annually and shall be that amount equal to 95 percent of the
393 difference between:

394 1.(a) The amount of ad valorem taxes levied each year by
395 each taxing authority, exclusive of any amount from any debt
396 service millage, on taxable real property contained within the
397 geographic boundaries of a community redevelopment area; and

398 2.(b) The amount of ad valorem taxes which would have been
399 produced by the rate upon which the tax is levied each year by
400 or for each taxing authority, exclusive of any debt service
401 millage, upon the total of the assessed value of the taxable
402 real property in the community redevelopment area as shown upon
403 the most recent assessment roll used in connection with the
404 taxation of such property by each taxing authority prior to the
405 effective date of the ordinance providing for the funding of the
406 trust fund.

407
408 However, the governing body of any county as defined in s.
409 125.011(1) may, in the ordinance providing for the funding of a

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410 trust fund established with respect to any community
411 redevelopment area created on or after July 1, 1994, determine
412 that the amount to be funded by each taxing authority annually
413 shall be less than 95 percent of the difference between
414 subparagraphs 1. and 2. ~~paragraphs (a) and (b)~~, but in no event
415 shall such amount be less than 50 percent of such difference.

416 (b)1. For any community redevelopment agency that had not
417 authorized a finding of necessity study by June 5, 2006, had not
418 created a community redevelopment agency by December 31, 2006,
419 had not adopted a community redevelopment plan by March 7, 2007,
420 and was not created pursuant to a delegation of authority under
421 s. 163.410 by a county that has adopted a home rule charter, the
422 amount of tax increment to be contributed by any taxing
423 authority shall be limited as follows:

424 a. If a taxing authority imposes a millage rate that
425 exceeds the millage rate imposed by the governing body that
426 created the trust fund, the amount of tax increment to be
427 contributed by the taxing authority imposing the higher millage
428 rate shall be calculated using the millage rate imposed by the
429 governing body that created the trust fund. Nothing shall
430 prohibit any taxing authority from voluntarily contributing a
431 tax increment at a higher rate for a period of time as specified
432 by interlocal agreement between the taxing authority and the
433 community redevelopment agency.

434 b. At any time more than 24 years after the fiscal year in
435 which a taxing authority made its first contribution to a
436 redevelopment trust fund, by resolution effective no sooner than
437 the next fiscal year and adopted by majority vote of the taxing

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438 authority's governing body at a public hearing held not less
439 than 30 or more than 45 days after written notice by registered
440 mail to the community redevelopment agency and published in a
441 newspaper of general circulation in the redevelopment area, the
442 taxing authority may limit the amount of increment contributed
443 by the taxing authority to the redevelopment trust fund to the
444 amount of increment the taxing authority was obligated to
445 contribute to the redevelopment trust fund in the fiscal year
446 immediately preceding the adoption of such resolution, plus any
447 increase in the increment after the adoption of the resolution
448 computed using the taxable values of any area which is subject
449 to an area reinvestment agreement. As used in this subparagraph,
450 the term "area reinvestment agreement" means an agreement
451 between the community redevelopment agency and a private party,
452 with or without additional parties, which provides that the
453 increment computed for a specific area shall be reinvested in
454 public infrastructure or services, or both, including debt
455 service, supporting one or more projects consistent with the
456 community redevelopment plan that is identified in the agreement
457 to be constructed within that area. Any such reinvestment
458 agreement must specify the estimated total amount of public
459 investment necessary to provide the public infrastructure or
460 services, or both, including any applicable debt service. The
461 increase in the increment of any area that is subject to an area
462 reinvestment agreement following the passage of a resolution as
463 provided in this sub-subparagraph is limited to the amount
464 specified in the area reinvestment agreement as necessary to
465 provide the public infrastructure or services, or both,

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

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466 including any applicable debt service, that is the subject of
467 the agreement. The contribution to the redevelopment trust fund
468 of the increase in the increment of any area that is subject to
469 an area reinvestment agreement following the passage of a
470 resolution as provided in this sub-subparagraph shall cease when
471 the amount specified in the area reinvestment agreement as
472 necessary to provide the public infrastructure or services, or
473 both, including any applicable debt service, have been invested.

474 2. For any community redevelopment agency that was not
475 created pursuant to a delegation of authority under s. 163.410
476 by a county that has adopted a home rule charter and that
477 modifies its adopted community redevelopment plan after October
478 1, 2006, in a manner that expands the boundaries of the
479 redevelopment area, the amount of increment to be contributed by
480 any taxing authority with respect to the expanded area shall be
481 limited as set forth in sub-subparagraphs 1.a. and b.

482 (2) (a) Except for the purpose of funding the trust fund
483 pursuant to subsection (3), upon the adoption of an ordinance
484 providing for funding of the redevelopment trust fund as
485 provided in this section, each taxing authority shall, by
486 January 1 of each year, appropriate to the trust fund for so
487 long as any indebtedness pledging increment revenues to the
488 payment thereof is outstanding (but not to exceed 30 years) a
489 sum that is no less than the increment as defined and determined
490 in subsection (1) or paragraph (3) (b) accruing to such taxing
491 authority. If the community redevelopment plan is amended or
492 modified pursuant to s. 163.361(1), each such taxing authority
493 shall make the annual appropriation for a period not to exceed

494 30 years after the date the governing body amends the plan.
 495 However, for any agency created on or after July 1, 2002, each
 496 taxing authority shall make the annual appropriation for a
 497 period not to exceed 40 years after the fiscal year in which the
 498 initial community redevelopment plan is approved or adopted.

499 (b) Any taxing authority that does not pay the increment
 500 revenues to the trust fund by January 1 shall pay to the trust
 501 fund an amount equal to 5 percent of the amount of the increment
 502 revenues and shall pay interest on the amount of the unpaid
 503 increment revenues equal to 1 percent for each month the
 504 increment is outstanding, provided the agency may waive such
 505 penalty payments in whole or in part.

506 (c) The following public bodies ~~or taxing authorities~~ are
 507 exempt from paragraph (a):

508 1. A special district that levies ad valorem taxes on
 509 taxable real property in more than one county.

510 2. A special district for which the sole available source
 511 of revenue the district has the authority to levy is ad valorem
 512 taxes at the time an ordinance is adopted under this section.
 513 However, revenues or aid that may be dispensed or appropriated
 514 to a district as defined in s. 388.011 at the discretion of an
 515 entity other than such district shall not be deemed available.

516 3. A library district, except a library district in a
 517 jurisdiction where the community redevelopment agency had
 518 validated bonds as of April 30, 1984.

519 4. A neighborhood improvement district created under the
 520 Safe Neighborhoods Act.

521 5. A metropolitan transportation authority.

522 | 6. A water management district created under s. 373.069.

523 | (3) (a) Notwithstanding the provisions of subsection (2),
524 | the obligation of the governing body which established the
525 | community redevelopment agency to fund the redevelopment trust
526 | fund annually shall continue until all loans, advances, and
527 | indebtedness, if any, and interest thereon, of a community
528 | redevelopment agency incurred as a result of redevelopment in a
529 | community redevelopment area have been paid.

530 | (b) Alternate provisions contained in an interlocal
531 | agreement between any of the other taxing authorities and the
532 | governing body that created the community redevelopment agency
533 | may supersede the provisions of this part. The community
534 | redevelopment agency may be an additional party to any such
535 | agreement.

536 | (4) The revenue bonds and notes of every issue under this
537 | part are payable solely out of revenues pledged to and received
538 | by a community redevelopment agency and deposited to its
539 | redevelopment trust fund. The lien created by such bonds or
540 | notes shall not attach until the increment revenues referred to
541 | herein are deposited in the redevelopment trust fund at the
542 | times, and to the extent that, such increment revenues accrue.
543 | The holders of such bonds or notes have no right to require the
544 | imposition of any tax or the establishment of any rate of
545 | taxation in order to obtain the amounts necessary to pay and
546 | retire such bonds or notes.

547 | (5) Revenue bonds issued under the provisions of this part
548 | shall not be deemed to constitute a debt, liability, or
549 | obligation of the ~~local~~ governing body or the state or any

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550 political subdivision thereof, or a pledge of the faith and
551 credit of the ~~local~~ governing body or the state or any political
552 subdivision thereof, but shall be payable solely from the
553 revenues provided therefor. All such revenue bonds shall contain
554 on the face thereof a statement to the effect that the agency
555 shall not be obligated to pay the same or the interest thereon
556 except from the revenues of the community redevelopment agency
557 held for that purpose and that neither the faith and credit nor
558 the taxing power of the ~~local~~ governing body or of the state or
559 of any political subdivision thereof is pledged to the payment
560 of the principal of, or the interest on, such bonds.

561 (6) Moneys in the redevelopment trust fund may be expended
562 from time to time for undertakings of a community redevelopment
563 agency as described in the ~~which are directly related to~~
564 ~~financing or refinancing of redevelopment in a community~~
565 ~~redevelopment area pursuant to an approved~~ community
566 redevelopment plan for the following purposes, including, but
567 not limited to:

568 (a) Administrative and overhead expenses, including
569 services provided by another public body, necessary or
570 incidental to the implementation of a community redevelopment
571 plan adopted by the agency.

572 (b) Expenses of redevelopment planning, surveys, and
573 financial analysis, including the reimbursement of the governing
574 body or the community redevelopment agency for such expenses
575 incurred before the redevelopment plan was approved and adopted.

576 (c) The acquisition of real property in the redevelopment
577 area.

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578 (d) The clearance and preparation of any redevelopment
579 area for redevelopment and relocation of site occupants within
580 or outside the community redevelopment area as provided in s.
581 163.370.

582 (e) The repayment of principal and interest or any
583 redemption premium for loans, advances, bonds, bond anticipation
584 notes, and any other form of indebtedness.

585 (f) All expenses incidental to or connected with the
586 issuance, sale, redemption, retirement, or purchase of ~~agency~~
587 bonds, bond anticipation notes, or other form of indebtedness,
588 including funding of any reserve, redemption, or other fund or
589 account provided for in the ordinance or resolution authorizing
590 such bonds, notes, or other form of indebtedness.

591 (g) The development of affordable housing within the
592 community redevelopment area.

593 (h) The development of community policing innovations.

594 (7) On the last day of the fiscal year of the community
595 redevelopment agency, any money which remains in the trust fund
596 after the payment of expenses pursuant to subsection (6) for
597 such year shall be:

598 (a) Returned to each taxing authority ~~which paid the~~
599 ~~increment~~ in the proportion that the amount of the payment of
600 such taxing authority bears to the total amount paid into the
601 trust fund by all taxing authorities ~~within the redevelopment~~
602 ~~area~~ for that year;

603 (b) Used to reduce the amount of any indebtedness to which
604 increment revenues are pledged;

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605 (c) Deposited into an escrow account for the purpose of
606 later reducing any indebtedness to which increment revenues are
607 pledged; or

608 (d) Appropriated to a specific redevelopment project
609 pursuant to an approved community redevelopment plan which shall
610 be expended ~~project will be completed~~ within 3 years from the
611 date of such appropriation.

612 (8) Each community redevelopment agency shall provide for
613 an ~~independent financial~~ audit of the trust fund each fiscal
614 year and a report of such audit to be prepared by an independent
615 certified public accountant or firm. Such report shall describe
616 the amount and source of deposits into, and the amount and
617 purpose of withdrawals from, the trust fund during such fiscal
618 year and the amount of principal and interest paid during such
619 year on any indebtedness to which ~~is pledged~~ increment revenues
620 are pledged and the remaining amount of such indebtedness. The
621 agency shall provide by registered mail a copy of the report to
622 each taxing authority.

623 Section 8. Section 163.410, Florida Statutes, is amended
624 to read:

625 163.410 Exercise of powers in counties with home rule
626 charters.--In any county which has adopted a home rule charter,
627 the powers conferred by this part shall be exercised exclusively
628 by the governing body of such county. However, the governing
629 body of any such county which has adopted a home rule charter
630 may, in its discretion, by resolution delegate the exercise of
631 the powers conferred upon the county by this part within the
632 boundaries of a municipality to the governing body of such a

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633 | municipality. Such a delegation to a municipality shall confer
634 | only such powers upon a municipality as shall be specifically
635 | enumerated in the delegating resolution. Any power not
636 | specifically delegated shall be reserved exclusively to the
637 | governing body of the county. This section does not affect any
638 | community redevelopment agency created by a municipality prior
639 | to the adoption of a county home rule charter. Unless otherwise
640 | provided by an existing ordinance, resolution, or interlocal
641 | agreement between any such county and a municipality, the
642 | governing body of the county that has adopted a home rule
643 | charter shall grant in whole or in part ~~act on~~ any request from
644 | a municipality for a delegation of powers or a change in an
645 | existing delegation of powers within 120 days after the receipt
646 | of all required documentation or such request shall be deemed
647 | granted. Within 30 days after receipt of the request, the county
648 | shall notify the municipality by registered mail whether the
649 | request is complete or if additional information is required.
650 | The county shall notify the municipality by registered mail
651 | within 30 days after receiving the additional information
652 | whether such additional documentation is complete. Any request
653 | by the county for additional documentation shall specify the
654 | deficiencies in the submitted documentation, if any. The county
655 | shall notify the municipality by registered mail within 30 days
656 | after receiving the additional documentation whether such
657 | information is complete. If the meeting of the county commission
658 | at which the request for a delegation of powers or a change in
659 | an existing delegation of powers is unable to be held due to
660 | events beyond the control of the county, the request shall be

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661 | acted upon at the next regularly scheduled meeting of the county
662 | commission without regard to the 120-day limitation. If the
663 | county does not act upon the request at the next regularly
664 | scheduled meeting, the request shall be deemed granted
665 | ~~immediately sent to the governing body for consideration.~~

666 | Section 9. This act shall take effect July 1, 2006.