

Bill No. SB 1608

Barcode 391588

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Comm: RS  
04/25/2006 08:32 PM

.  
. .  
. .  
. .  
. .  
. .

---

The Committee on Judiciary (Aronberg) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Section 163.3172, Florida Statutes, is created to read:

163.3172 Municipalities; county authority limitations.--

(1) The Legislature finds that municipalities are the units of local self-government closest to the people they serve and thereby are best situated to determine the unique needs of their communities. Municipalities provide their residents a true voice as to the character and values of their local communities. The Legislature recognizes there have been increasing and numerous preemptions of municipal democratic powers by other forms of local government and concludes that municipalities must retain the authority to perform the functions that are of most immediate concern to their

Bill No. SB 1608

Barcode 391588

1 citizens.

2       (2) Notwithstanding this chapter or any other law, any  
3 charter county charter provision adopted on or after July 1,  
4 2006, or ordinance adopted pursuant to such charter provision  
5 that affects the authority of a municipality within the  
6 charter county to regulate the use, development, or  
7 redevelopment of land or that affects municipal annexation  
8 within a charter county may not apply to or within the  
9 municipality unless such charter provision or ordinance is  
10 approved by a vote of:

11           (a) The municipality's governing body; or

12           (b) The electors of the municipality at a duly called  
13 municipal election.

14       (3) Notwithstanding this chapter or any other law, any  
15 law or charter county provision or ordinance adopted before  
16 July 1, 2006, that affects the authority of a municipality  
17 within a charter county to regulate the use, development, or  
18 redevelopment of land or that affects municipal annexation  
19 within a charter county shall be effective within the  
20 municipality on July 1, 2006, subject to modification or  
21 repeal by ordinance of the municipality.

22       (4) This section shall not apply to:

23           (a) Any county as defined in s. 125.011;

24           (b) Any countywide impact fee for transportation or  
25 public schools approved by the governing board of a charter  
26 county;

27           (c) Any law or charter county provision or ordinance  
28 that sets minimum standards for protecting the environment  
29 through the prohibition or regulation of air, water, soil, or  
30 property contamination; or

31           (d) Any special district created by special act.

Bill No. SB 1608

Barcode 391588

1 Section 2. This act shall take effect July 1, 2006.

2

3

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

5 And the title is amended as follows:

6 Delete everything before the enacting clause

7

8 and insert:

9

A bill to be entitled

10 An act relating to municipalities; creating s.  
11 163.3172, F.S.; providing legislative findings;  
12 prohibiting effect or application of certain  
13 county provisions within municipalities unless  
14 approved by county and municipal electors or  
15 the municipal governing board; providing for  
16 effect of certain laws or charter county  
17 provisions or ordinances in certain  
18 municipalities; providing an exception;  
19 providing for nonapplication to certain  
20 counties, impact fees, laws or charter county  
21 provisions or ordinances, or special districts;  
22 providing an effective date.

23

24

25

26

27

28

29

30

31