

Bill No. CS for SB 1766

Barcode 784276

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: FAV
04/05/2006 09:10 AM

.
. .
. .
. .
. .
. .

The Committee on Community Affairs (Haridopolos) recommended
the following amendment:

Senate Amendment (with title amendment)

On page 12, between lines 11 and 12,

insert:

Section 7. Section 336.68, Florida Statutes, is
created to read:

336.68 Special road and bridge district boundaries;
property owner's rights and options.--

(1) An owner of real property that is located within
the boundaries of a community development district created
under chapter 190 and a special road and bridge district
created under former ss. 336.61-336.67 may select the
community development district to be the provider of the road
and drainage improvements to the property of the owner. After
making this selection, the property owner may withdraw the
property from the special road and bridge district using the
procedures set forth in this section.

(2) In order to be eligible to withdraw the property

Bill No. CS for SB 1766

Barcode 784276

1 from the special road and bridge district, the subject
 2 property may not have received improvements or benefits from
 3 the special road and bridge district, there must be no
 4 outstanding bonded indebtedness of the special road and bridge
 5 district for which the property is subject to ad valorem tax
 6 levies, and the withdrawal of the property may not create an
 7 enclave bounded on all sides by other property within the
 8 boundaries of the special road and bridge district after the
 9 property owner withdraws the property from the special road
 10 and bridge district.

11 (3) If the property owner chooses to withdraw the
 12 property from the special road and bridge district, the
 13 property owner must file a certificate of withdrawal in the
 14 official records of each county in which the property is
 15 located. The certificate must identify the name and mailing
 16 address of the owner, the legal description of the property,
 17 the name of the district from which the property is being
 18 withdrawn, and the general location of the property within the
 19 district. The certificate must further state that the property
 20 has not received benefits from the district from which the
 21 property is to be withdrawn, that there is no bonded
 22 indebtedness owed by the district, and that the property being
 23 withdrawn will not become an enclave within the boundary of
 24 the special road and bridge district.

25 (4) The property owner must provide a copy of the
 26 recorded certificate to the governing body of the special road
 27 and bridge district from which the property is being withdrawn
 28 no later than 10 days after the certificate is filed with the
 29 county. If the district objects to the withdrawal of the
 30 property from the district, it must file a written objection
 31 in each county where the property is located identifying the

Bill No. CS for SB 1766

Barcode 784276

1 withdrawal criteria that has not been satisfied. The objection
 2 must be filed within 30 days after the certificate is
 3 recorded. If an objection is not filed within the 30-day
 4 period, the withdrawal of the property is deemed to be final,
 5 and the property is permanently withdrawn from the boundary of
 6 the special road and bridge district.

7
 8 (Redesignate subsequent sections.)

9
 10

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

12 And the title is amended as follows:

13 On page 2, line 4, after the first semicolon,

14

15 insert:

16 creating s. 336.68, F.S.; providing that a
 17 property owner having real property located
 18 within the boundaries of a community
 19 development district and a special road and
 20 bridge district may select the community
 21 development district to be the provider of the
 22 road and drainage improvements to the property
 23 of the owner; authorizing the owner of the
 24 property to withdraw the property from the
 25 special road and bridge district; specifying
 26 the procedures and criteria required in order
 27 to remove the real property from the special
 28 road and bridge district; authorizing the
 29 governing body of the special road and bridge
 30 district to file a written objection to the
 31 proposed withdrawal of the property;