

Bill No. CS for SB 2364

Barcode 165672

CHAMBER ACTION

Senate

House

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The Committee on Government Efficiency Appropriations
(Haridopolos) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

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

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

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1 outdated building density patterns, inadequate transportation
 2 and parking facilities, faulty lot layout or inadequate street
 3 layout, or a combination thereof which the governing body
 4 designates as appropriate for community redevelopment. For
 5 community redevelopment agencies created after July 1, 2006, a
 6 community redevelopment area may not consist of more than 80
 7 percent of the municipality.

8 (24) "Taxing authority" means a public body that
 9 levies or is authorized to levy an ad valorem tax on real
 10 property located in a community redevelopment area.

11 Section 2. Subsection (2) of section 163.356, Florida
 12 Statutes, is amended to read:

13 163.356 Creation of community redevelopment agency.--

14 (2) When the governing body adopts a resolution
 15 declaring the need for a community redevelopment agency, that
 16 body shall, by ordinance, appoint a board of commissioners of
 17 the community redevelopment agency, which shall consist of not
 18 fewer than five or more than nine commissioners. The terms of
 19 office of the commissioners shall be for 4 years, except that
 20 three of the members first appointed shall be designated to
 21 serve terms of 1, 2, and 3 years, respectively, from the date
 22 of their appointments, and all other members shall be
 23 designated to serve for terms of 4 years from the date of
 24 their appointments. A vacancy occurring during a term shall be
 25 filled for the unexpired term. As provided in an interlocal
 26 agreement between the governing body that created the agency
 27 and one or more taxing authorities, one or more members of the
 28 board of commissioners of the agency may be representatives of
 29 a taxing authority, including members of that taxing
 30 authority's governing body, whose membership on the board of
 31 commissioners of the agency would be considered an additional

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1 duty of office as a member of the taxing authority governing
2 body.

3 Section 3. Paragraph (d) is added to subsection (1) of
4 section 163.357, Florida Statutes, to read:

5 163.357 Governing body as the community redevelopment
6 agency.--

7 (1)

8 (d) As provided in an interlocal agreement between the
9 governing body that created the agency and one or more taxing
10 authorities, one or more members of the board of commissioners
11 of the agency may be representatives of a taxing authority,
12 including members of that taxing authority's governing body,
13 whose membership on the board of commissioners of the agency
14 would be considered an additional duty of office as a member
15 of the taxing authority governing body.

16 Section 4. Subsection (6) of section 163.360, Florida
17 Statutes, is amended to read:

18 163.360 Community redevelopment plans.--

19 (6)(a) The governing body shall hold a public hearing
20 on a community redevelopment plan after public notice thereof
21 by publication in a newspaper having a general circulation in
22 the area of operation of the county or municipality. The
23 notice shall describe the time, date, place, and purpose of
24 the hearing, identify generally the community redevelopment
25 area covered by the plan, and outline the general scope of the
26 community redevelopment plan under consideration.

27 (b) For any governing body that has not authorized by
28 June 5, 2006, a study to consider whether a
29 finding-of-necessity resolution pursuant to s. 163.355 should
30 be adopted, has not created a community redevelopment agency
31 by March 31, 2007, has not adopted a community redevelopment

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1 plan by June 7, 2007, and was not created pursuant to a
2 delegation of authority under s. 163.410 by a county that has
3 adopted a home rule charter, the following additional
4 procedures are required prior to adoption by that governing
5 body of a community redevelopment plan under subsection (7):

6 1. Within 30 days after receipt of any community
7 redevelopment plan recommended by a community redevelopment
8 agency under subsection (5), the county may provide written
9 notice by registered mail to the governing body of the
10 municipality and to the community redevelopment agency that
11 the county has competing policy goals and plans for the public
12 funds the county would be required to deposit into the
13 community redevelopment trust fund under the proposed
14 community redevelopment plan.

15 2. If the notice required in subparagraph 1. is timely
16 provided, the governing body of the county and the governing
17 body of the municipality that created the community
18 redevelopment agency shall schedule and hold a joint hearing
19 co-chaired by the chair of the governing body of the county
20 and the mayor of the municipality, with the agenda to be set
21 by the chair of the governing body of the county, at which the
22 competing policy goals for the public funds shall be
23 discussed. For those community redevelopment agencies for
24 which the board of commissioners of the community
25 redevelopment agency are comprised as specified in s.
26 163.356(2), a designee of the community redevelopment agency
27 shall participate in the joint meeting as an ex officio. Any
28 such hearing must be held within 90 days after receipt by the
29 county of the recommended community redevelopment plan. Prior
30 to the joint public hearing, the county may propose an
31 alternative redevelopment plan that meets the requirements of

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1 s. 163.360 to address the conditions identified in the
 2 resolution making a finding of necessity required by s.
 3 163.355. If such an alternative modified redevelopment plan is
 4 proposed by the county, such plan shall be delivered to the
 5 governing body of the municipality that created the community
 6 redevelopment agency and to the executive director or other
 7 officer of the community redevelopment agency by registered
 8 mail at least 30 days prior to holding the joint meeting.

9 3. If the notice required in subparagraph 1. is timely
 10 provided, the municipality may not proceed with the adoption
 11 of the plan under subsection (7) until 30 days after the joint
 12 hearing unless the governing body of the county has failed to
 13 schedule or a majority of the members of the governing body of
 14 the county have failed to attend the joint hearing within the
 15 required 90-day period.

16 4. Notwithstanding the time requirements established
 17 in subparagraphs 2. and 3., the county and the municipality
 18 may at any time voluntarily use the dispute resolution process
 19 established in chapter 164 to attempt to resolve any competing
 20 policy goals between the county and municipality related to
 21 the community redevelopment agency. Nothing in this
 22 subparagraph grants the county or the municipality the
 23 authority to require the other local government to participate
 24 in the dispute resolution process.

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

27 163.361 Modification of community redevelopment
 28 plans.--

29 (3)(a) In addition to the requirements of s. 163.346,
 30 and prior to the adoption of any modification to a community
 31 redevelopment plan that expands the boundaries of the

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1 community redevelopment area or extends the time certain set
 2 forth in the redevelopment plan as required by s. 163.362(10),
 3 the agency shall report such proposed modification to each
 4 taxing authority in writing or by an oral presentation, or
 5 both, regarding such proposed modification.

6 (b) For any community redevelopment agency that was
 7 not created pursuant to a delegation of authority under s.
 8 163.410 by a county that has adopted a home rule charter and
 9 that modifies its adopted community redevelopment plan in a
 10 manner that expands the boundaries of the redevelopment area
 11 after October 1, 2006, the following additional procedures are
 12 required prior to adoption by the governing body of a modified
 13 community redevelopment plan:

14 1. Within 30 days after receipt of any report of a
 15 proposed modification that expands the boundaries of the
 16 redevelopment area, the county may provide notice by
 17 registered mail to the governing body of the municipality and
 18 to the community redevelopment agency that the county has
 19 competing policy goals and plans for the public funds the
 20 county would be required to deposit into the community
 21 redevelopment trust fund under the proposed modification to
 22 the community redevelopment plan.

23 2. If the notice required in subparagraph 1. is timely
 24 provided, the governing body of the county and the governing
 25 body of the municipality that created the community
 26 redevelopment agency shall schedule and hold a joint hearing
 27 co-chaired by the chair of the governing body of the county
 28 and the mayor of the municipality, with the agenda to be set
 29 by the chair of the governing body of the county, at which the
 30 competing policy goals for the public funds shall be
 31 discussed. For those community redevelopment agencies for

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1 which the board of commissioners of the community
 2 redevelopment agency are comprised as specified in s.
 3 163.356(2), a designee of the community redevelopment agency
 4 shall participate in the joint meeting as an ex officio. Any
 5 such hearing shall be held within 90 days after receipt by the
 6 county of the recommended modification of the adopted
 7 community redevelopment plan. Prior to the joint public
 8 hearing, the county may propose an alternative modified
 9 community redevelopment plan that meets the requirements of s.
 10 163.360 to address the conditions identified in the resolution
 11 making a finding of necessity required under s. 163.355. If
 12 such an alternative modified redevelopment plan is proposed by
 13 the county, such plan shall be delivered to the governing body
 14 of the municipality that created the community redevelopment
 15 agency and to the executive director or other officer of the
 16 community redevelopment agency by registered mail at least 30
 17 days prior to holding the joint meeting.

18 3. If the notice required in subparagraph 1. is timely
 19 provided, the municipality may not proceed with the adoption
 20 of a modified plan until 30 days after the joint hearing
 21 unless the governing body of the county has failed to schedule
 22 or a majority of the members of the governing body of the
 23 county have failed to attend the joint hearing within the
 24 required 90-day period.

25 4. Notwithstanding the time requirements established
 26 in subparagraphs 2. and 3., the county and the municipality
 27 may at any time voluntarily use the dispute resolution process
 28 established in chapter 164 to attempt to resolve any competing
 29 policy goals between the county and municipality related to
 30 the community redevelopment agency. Nothing in this
 31 subparagraph grants the county or the municipality the

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1 authority to require the other local government to participate
2 in the dispute resolution process.

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

7 163.370 Powers; counties and municipalities; community
8 redevelopment agencies.--

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

13 (c) To undertake and carry out community redevelopment
14 and related activities within the community redevelopment
15 area, which ~~redevelopment~~ may include:

16 1. Acquisition of a slum area or a blighted area or
17 portion thereof.

18 2. Demolition and removal of buildings and
19 improvements.

20 3. Installation, construction, or reconstruction of
21 streets, utilities, parks, playgrounds, public areas of major
22 hotels that are constructed in support of convention centers,
23 including meeting rooms, banquet facilities, parking garages,
24 lobbies, and passageways, and other improvements necessary for
25 carrying out in the community redevelopment area the community
26 redevelopment objectives of this part in accordance with the
27 community redevelopment plan.

28 4. Disposition of any property acquired in the
29 community redevelopment area at its fair value, as provided in
30 s. 163.380, for uses in accordance with the community
31 redevelopment plan.

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1 5. Carrying out plans for a program of voluntary or
2 compulsory repair and rehabilitation of buildings or other
3 improvements in accordance with the community redevelopment
4 plan.

5 6. Acquisition of real property in the community
6 redevelopment area which, under the community redevelopment
7 plan, is to be repaired or rehabilitated for dwelling use or
8 related facilities, repair or rehabilitation of the structures
9 for guidance purposes, and resale of the property.

10 7. Acquisition of any other real property in the
11 community redevelopment area when necessary to eliminate
12 unhealthful, unsanitary, or unsafe conditions; lessen density;
13 eliminate obsolete or other uses detrimental to the public
14 welfare; or otherwise to remove or prevent the spread of
15 blight or deterioration or to provide land for needed public
16 facilities.

17 8. Acquisition, without regard to any requirement that
18 the area be a slum or blighted area, of air rights in an area
19 consisting principally of land in highways, railway or subway
20 tracks, bridge or tunnel entrances, or other similar
21 facilities which have a blighting influence on the surrounding
22 area and over which air rights sites are to be developed for
23 the elimination of such blighting influences and for the
24 provision of housing (and related facilities and uses)
25 designed specifically for, and limited to, families and
26 individuals of low or moderate income.

27 9. Construction of foundations and platforms necessary
28 for the provision of air rights sites of housing (and related
29 facilities and uses) designed specifically for, and limited
30 to, families and individuals of low or moderate income.

31 (e) Within the community redevelopment area:

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

6 2. To acquire by purchase, lease, option, gift, grant,
 7 bequest, devise, eminent domain, or otherwise any personal or
 8 real property ~~(or personal property for its administrative~~
 9 ~~purposes)~~, together with any improvements thereon; except that
 10 a community redevelopment agency may not exercise any power of
 11 eminent domain unless the exercise has been specifically
 12 approved by the governing body of the county or municipality
 13 which established the agency.

14 3. To hold, improve, clear, or prepare for
 15 redevelopment any such property.

16 4. To mortgage, pledge, hypothecate, or otherwise
 17 encumber or dispose of any real property.

18 5. To insure or provide for the insurance of any real
 19 or personal property or operations of the county or
 20 municipality against any risks or hazards, including the power
 21 to pay premiums on any such insurance.

22 6. To enter into any contracts necessary to effectuate
 23 the purposes of this part.

24 7. To solicit requests for proposals for redevelopment
 25 of parcels of real property contemplated by a community
 26 redevelopment plan to be acquired for redevelopment purposes
 27 by a community redevelopment agency and, as a result of such
 28 requests for proposals, to advertise for the disposition of
 29 such real property to private persons pursuant to s. 163.380
 30 prior to acquisition of such real property by the community
 31 redevelopment agency.

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

7 1. Plans for carrying out a program of voluntary or
8 compulsory repair and rehabilitation of buildings and
9 improvements.

10 2. Plans for the enforcement of state and local laws,
11 codes, and regulations relating to the use of land and the use
12 and occupancy of buildings and improvements and to the
13 compulsory repair, rehabilitation, demolition, or removal of
14 buildings and improvements.

15 3. Appraisals, title searches, surveys, studies, and
16 other plans and work necessary to prepare for the undertaking
17 of community redevelopment and related activities.

18 (n) ~~Within its area of operation,~~ To organize,
19 coordinate, and direct the administration of the provisions of
20 this part, as they may apply to such county or municipality,
21 in order that the objective of remedying slum and blighted
22 areas and preventing the causes thereof within such county or
23 municipality may be most effectively promoted and achieved and
24 to establish such new office or offices of the county or
25 municipality or to reorganize existing offices in order to
26 carry out such purpose most effectively.

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

29 (b) Installation, construction, reconstruction,
30 repair, or alteration of any publicly owned capital
31 improvements or projects ~~which are not an integral part of or~~

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1 ~~necessary for carrying out the community redevelopment plan if~~
2 ~~such projects or improvements are normally financed by the~~
3 ~~governing body with user fees or if such projects or~~
4 ~~improvements were scheduled to ~~would~~ be installed,~~
5 ~~constructed, reconstructed, repaired, or altered within 3~~
6 ~~years of the approval of the community redevelopment plan by~~
7 ~~the governing body pursuant to a previously approved public~~
8 ~~capital improvement or project schedule or plan of the~~
9 ~~governing body which approved the community redevelopment plan~~
10 ~~unless and until such projects or improvements have been~~
11 ~~removed from such schedule or plan of the governing body and 3~~
12 ~~years have elapsed since such removal or such projects or~~
13 ~~improvements were identified in such schedule or plan to be~~
14 ~~funded, in whole or in part, with funds on deposit within the~~
15 ~~community redevelopment trust fund.~~

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

18 (a) Prior to approval of a community redevelopment
19 plan or approval of any modifications of the plan, acquire
20 real property in a community redevelopment area, demolish and
21 remove any structures on the property, and pay all costs
22 related to the acquisition, demolition, or removal, including
23 any administrative or relocation expenses, provided such
24 acquisition is not pursuant to s. 163.375.

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

28 163.387 Redevelopment trust fund.--

29 (1)(a) After approval of a community redevelopment
30 plan, there may ~~shall~~ be established for each community
31 redevelopment agency created under s. 163.356 a redevelopment

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1 trust fund. Funds allocated to and deposited into this fund
 2 shall be used by the agency to finance or refinance any
 3 community redevelopment it undertakes pursuant to the approved
 4 community redevelopment plan. No community redevelopment
 5 agency may receive or spend any increment revenues pursuant to
 6 this section unless and until the governing body has, by
 7 ordinance, created the trust fund and provided for the funding
 8 of the redevelopment trust fund until the time certain set
 9 forth in the ~~for the duration of a~~ community redevelopment
 10 plan as required by s. 163.362(10). Such ordinance may be
 11 adopted only after the governing body has approved a community
 12 redevelopment plan. The annual funding of the redevelopment
 13 trust fund shall be in an amount not less than that increment
 14 in the income, proceeds, revenues, and funds of each taxing
 15 authority derived from or held in connection with the
 16 undertaking and carrying out of community redevelopment under
 17 this part. Such increment shall be determined annually and
 18 shall be that amount equal to 95 percent of the difference
 19 between:

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

25 2.(b) The amount of ad valorem taxes which would have
 26 been produced by the rate upon which the tax is levied each
 27 year by or for each taxing authority, exclusive of any debt
 28 service millage, upon the total of the assessed value of the
 29 taxable real property in the community redevelopment area as
 30 shown upon the most recent assessment roll used in connection
 31 with the taxation of such property by each taxing authority

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1 prior to the effective date of the ordinance providing for the
2 funding of the trust fund.

3

4 However, the governing body of any county as defined in s.
5 125.011(1) may, in the ordinance providing for the funding of
6 a trust fund established with respect to any community
7 redevelopment area created on or after July 1, 1994, determine
8 that the amount to be funded by each taxing authority annually
9 shall be less than 95 percent of the difference between
10 subparagraphs 1. and 2. paragraphs (a) and (b), but in no
11 event shall such amount be less than 50 percent of such
12 difference.

13 (b)1. For any governing body that has not authorized
14 by June 5, 2006, a study to consider whether a
15 finding-of-necessity resolution pursuant to s. 163.355 should
16 be adopted, has not created a community redevelopment agency
17 by March 31, 2007, has not adopted a community redevelopment
18 plan by June 7, 2007, and was not created pursuant to a
19 delegation of authority under s. 163.410 by a county that has
20 adopted a home rule charter, the amount of tax increment to be
21 contributed by any taxing authority shall be limited as
22 follows:

23 a. If a taxing authority imposes a millage rate that
24 exceeds the millage rate imposed by the governing body that
25 created the trust fund, the amount of tax increment to be
26 contributed by the taxing authority imposing the higher
27 millage rate shall be calculated using the millage rate
28 imposed by the governing body that created the trust fund.
29 Nothing shall prohibit any taxing authority from voluntarily
30 contributing a tax increment at a higher rate for a period of
31 time as specified by interlocal agreement between the taxing

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1 authority and the community redevelopment agency.

2 b. At any time more than 24 years after the fiscal
3 year in which a taxing authority made its first contribution
4 to a redevelopment trust fund, by resolution effective no
5 sooner than the next fiscal year and adopted by majority vote
6 of the taxing authority's governing body at a public hearing
7 held not less than 30 or more than 45 days after written
8 notice by registered mail to the community redevelopment
9 agency and published in a newspaper of general circulation in
10 the redevelopment area, the taxing authority may limit the
11 amount of increment contributed by the taxing authority to the
12 redevelopment trust fund to the amount of increment the taxing
13 authority was obligated to contribute to the redevelopment
14 trust fund in the fiscal year immediately preceding the
15 adoption of such resolution, plus any increase in the
16 increment after the adoption of the resolution computed using
17 the taxable values of any area which is subject to an area
18 reinvestment agreement. As used in this subparagraph, the term
19 "area reinvestment agreement" means an agreement between the
20 community redevelopment agency and a private party, with or
21 without additional parties, which provides that the increment
22 computed for a specific area shall be reinvested in public
23 infrastructure or services, or both, including debt service,
24 supporting one or more projects consistent with the community
25 redevelopment plan that is identified in the agreement to be
26 constructed within that area. Any such reinvestment agreement
27 must specify the estimated total amount of public investment
28 necessary to provide the public infrastructure or services, or
29 both, including any applicable debt service. The contribution
30 to the redevelopment trust fund of the increase in the
31 increment of any area that is subject to an area reinvestment

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1 agreement following the passage of a resolution as provided in
 2 this sub-subparagraph shall cease when the amount specified in
 3 the area reinvestment agreement as necessary to provide the
 4 public infrastructure or services, or both, including any
 5 applicable debt service, have been invested.

6 2. For any community redevelopment agency that was not
 7 created pursuant to a delegation of authority under s. 163.410
 8 by a county that has adopted a home rule charter and that
 9 modifies its adopted community redevelopment plan after
 10 October 1, 2006, in a manner that expands the boundaries of
 11 the redevelopment area, the amount of increment to be
 12 contributed by any taxing authority with respect to the
 13 expanded area shall be limited as set forth in
 14 sub-subparagraphs 1.a. and b.

15 (2)(a) Except for the purpose of funding the trust
 16 fund pursuant to subsection (3), upon the adoption of an
 17 ordinance providing for funding of the redevelopment trust
 18 fund as provided in this section, each taxing authority shall,
 19 by January 1 of each year, appropriate to the trust fund for
 20 so long as any indebtedness pledging increment revenues to the
 21 payment thereof is outstanding (but not to exceed 30 years) a
 22 sum that is no less than the increment as defined and
 23 determined in subsection (1) or paragraph (3)(b) accruing to
 24 such taxing authority. If the community redevelopment plan is
 25 amended or modified pursuant to s. 163.361(1), each such
 26 taxing authority shall make the annual appropriation for a
 27 period not to exceed 30 years after the date the governing
 28 body amends the plan. However, for any agency created on or
 29 after July 1, 2002, each taxing authority shall make the
 30 annual appropriation for a period not to exceed 40 years after
 31 the fiscal year in which the initial community redevelopment

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1 plan is approved or adopted.

2 (b) Any taxing authority that does not pay the
3 increment revenues to the trust fund by January 1 shall pay to
4 the trust fund an amount equal to 5 percent of the amount of
5 the increment revenues and shall pay interest on the amount of
6 the unpaid increment revenues equal to 1 percent for each
7 month the increment is outstanding, provided the agency may
8 waive such penalty payments in whole or in part.

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

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

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

20 3. A library district, except a library district in a
21 jurisdiction where the community redevelopment agency had
22 validated bonds as of April 30, 1984.

23 4. A neighborhood improvement district created under
24 the Safe Neighborhoods Act.

25 5. A metropolitan transportation authority.

26 6. A water management district created under s.
27 373.069.

28 (3)(a) Notwithstanding the provisions of subsection
29 (2), the obligation of the governing body which established
30 the community redevelopment agency to fund the redevelopment
31 trust fund annually shall continue until all loans, advances,

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1 and indebtedness, if any, and interest thereon, of a community
2 redevelopment agency incurred as a result of redevelopment in
3 a community redevelopment area have been paid.

4 (b) Alternate provisions contained in an interlocal
5 agreement between a taxing authority and the governing body
6 that created the community redevelopment agency may supersede
7 the provisions of this section with respect to that taxing
8 authority. The community redevelopment agency may be an
9 additional party to any such agreement.

10 (4) The revenue bonds and notes of every issue under
11 this part are payable solely out of revenues pledged to and
12 received by a community redevelopment agency and deposited to
13 its redevelopment trust fund. The lien created by such bonds
14 or notes shall not attach until the increment revenues
15 referred to herein are deposited in the redevelopment trust
16 fund at the times, and to the extent that, such increment
17 revenues accrue. The holders of such bonds or notes have no
18 right to require the imposition of any tax or the
19 establishment of any rate of taxation in order to obtain the
20 amounts necessary to pay and retire such bonds or notes.

21 (5) Revenue bonds issued under the provisions of this
22 part shall not be deemed to constitute a debt, liability, or
23 obligation of the ~~local~~ governing body or the state or any
24 political subdivision thereof, or a pledge of the faith and
25 credit of the ~~local~~ governing body or the state or any
26 political subdivision thereof, but shall be payable solely
27 from the revenues provided therefor. All such revenue bonds
28 shall contain on the face thereof a statement to the effect
29 that the agency shall not be obligated to pay the same or the
30 interest thereon except from the revenues of the community
31 redevelopment agency held for that purpose and that neither

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1 the faith and credit nor the taxing power of the ~~local~~
2 governing body or of the state or of any political subdivision
3 thereof is pledged to the payment of the principal of, or the
4 interest on, such bonds.

5 (6) Moneys in the redevelopment trust fund may be
6 expended from time to time for undertakings of a community
7 redevelopment agency as described in the ~~which are directly~~
8 ~~related to financing or refinancing of redevelopment in a~~
9 ~~community redevelopment area pursuant to an approved~~ community
10 redevelopment plan for the following purposes, including, but
11 not limited to:

12 (a) Administrative and overhead expenses necessary or
13 incidental to the implementation of a community redevelopment
14 plan adopted by the agency.

15 (b) Expenses of redevelopment planning, surveys, and
16 financial analysis, including the reimbursement of the
17 governing body or the community redevelopment agency for such
18 expenses incurred before the redevelopment plan was approved
19 and adopted.

20 (c) The acquisition of real property in the
21 redevelopment area.

22 (d) The clearance and preparation of any redevelopment
23 area for redevelopment and relocation of site occupants within
24 or outside the community redevelopment area as provided in s.
25 163.370.

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

29 (f) All expenses incidental to or connected with the
30 issuance, sale, redemption, retirement, or purchase of ~~agency~~
31 bonds, bond anticipation notes, or other form of indebtedness,

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1 including funding of any reserve, redemption, or other fund or
2 account provided for in the ordinance or resolution
3 authorizing such bonds, notes, or other form of indebtedness.

4 (g) The development of affordable housing within the
5 community redevelopment area.

6 (h) The development of community policing innovations.

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

11 (a) Returned to each taxing authority which paid the
12 increment in the proportion that the amount of the payment of
13 such taxing authority bears to the total amount paid into the
14 trust fund by all taxing authorities ~~within the redevelopment~~
15 ~~area~~ for that year;

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

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

21 (d) Appropriated to a specific redevelopment project
22 pursuant to an approved community redevelopment plan which
23 project will be completed within 3 years from the date of such
24 appropriation.

25 (8) Each community redevelopment agency shall provide
26 for an ~~independent financial~~ audit of the trust fund each
27 fiscal year and a report of such audit to be prepared by an
28 independent certified public accountant or firm. Such report
29 shall describe the amount and source of deposits into, and the
30 amount and purpose of withdrawals from, the trust fund during
31 such fiscal year and the amount of principal and interest paid

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1 during such year on any indebtedness to which ~~is pledged~~
 2 increment revenues are pledged and the remaining amount of
 3 such indebtedness. The agency shall provide by registered mail
 4 a copy of the report to each taxing authority.

5 Section 8. Section 163.410, Florida Statutes, is
 6 amended to read:

7 163.410 Exercise of powers in counties with home rule
 8 charters.--In any county which has adopted a home rule
 9 charter, the powers conferred by this part shall be exercised
 10 exclusively by the governing body of such county. However, the
 11 governing body of any such county which has adopted a home
 12 rule charter may, in its discretion, by resolution delegate
 13 the exercise of the powers conferred upon the county by this
 14 part within the boundaries of a municipality to the governing
 15 body of such a municipality. Such a delegation to a
 16 municipality shall confer only such powers upon a municipality
 17 as shall be specifically enumerated in the delegating
 18 resolution. Any power not specifically delegated shall be
 19 reserved exclusively to the governing body of the county. This
 20 section does not affect any community redevelopment agency
 21 created by a municipality prior to the adoption of a county
 22 home rule charter. Unless otherwise provided by an existing
 23 ordinance, resolution, or interlocal agreement between any
 24 such county and a municipality, the governing body of the
 25 county that has adopted a home rule charter shall grant in
 26 whole or in part or deny ~~act on~~ any request from a
 27 municipality for a delegation of powers or a change in an
 28 existing delegation of powers within 120 days after the
 29 receipt of all required documentation or such request shall be
 30 deemed granted. Within 30 days after receipt of the request,
 31 the county shall notify the municipality by registered mail

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1 whether the request is complete or if additional information
2 is required. The county shall notify the municipality by
3 registered mail within 30 days after receiving the additional
4 information whether such additional documentation is complete.
5 Any request by the county for additional documentation shall
6 specify the deficiencies in the submitted documentation, if
7 any. The county shall notify the municipality by registered
8 mail within 30 days after receiving the additional
9 documentation whether such information is complete. If the
10 meeting of the county commission at which the request for a
11 delegation of powers or a change in an existing delegation of
12 powers is unable to be held due to events beyond the control
13 of the county, the request shall be acted upon at the next
14 regularly scheduled meeting of the county commission without
15 regard to the 120-day limitation. If the county does not act
16 upon the request at the next regularly scheduled meeting, the
17 request shall be deemed granted ~~immediately sent to the~~
18 ~~governing body for consideration.~~

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

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

23 And the title is amended as follows:

24 Delete everything before the enacting clause

25

26 and insert:

27 A bill to be entitled
28 An act relating to community redevelopment;
29 amending s. 163.340, F.S.; revising certain
30 definitions; defining the term "taxing
31 authority"; amending s. 163.356, F.S.;

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1 authorizing one or more members of the board of
2 commissioners of the community redevelopment
3 agency to be representatives of a taxing
4 authority; creating s. 163.357, F.S.;

5 authorizing one or more members of the board of
6 commissioners of the community redevelopment
7 agency to be representatives of a taxing
8 authority; amending s. 163.360, F.S.;

9 specifying additional procedures required for
10 adoption of community redevelopment plans by
11 the governing body of certain counties for
12 certain community redevelopment agencies;

13 amending s. 163.361, F.S.; specifying
14 additional procedures required for adoption of
15 a modified community redevelopment plan by a
16 governing body of certain counties for certain
17 community redevelopment agencies; amending s.
18 163.370, F.S.; revising provisions relating to
19 powers of counties, municipalities, and
20 community redevelopment agencies; revising
21 provisions relating to projects ineligible for
22 increment revenues; amending s. 163.387, F.S.;

23 revising provisions relating to redevelopment
24 trust funds; providing limitations on the
25 amount of tax increment contributions by a
26 taxing authority for certain community
27 redevelopment agencies; authorizing a community
28 redevelopment agency to waive certain increment
29 payment penalties; authorizing alternate
30 provisions in certain interlocal agreements to
31 supersede certain provisions of law; amending

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1 s. 163.410, F.S.; providing additional
2 requirements for requests for information
3 relating to requests for delegation of certain
4 powers; providing an effective date.
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