

1 redevelopment; authorizing the governing body
2 to fund the operations and undertakings of a
3 redevelopment agency and removing the authority
4 of such body to fund administrative expenses
5 and overhead of such an agency; providing for
6 creation of an advisory board for a
7 redevelopment agency; clarifying independent
8 legal status of a redevelopment agency;
9 requiring a redevelopment agency to adopt
10 bylaws; amending s. 163.357, F.S.; revising
11 provisions authorizing a governing body to
12 become and operate as a redevelopment agency;
13 amending s. 163.358, F.S.; removing eminent
14 domain from a list of powers available to a
15 redevelopment agency; amending s. 163.360,
16 F.S.; revising provisions concerning review,
17 notice, and adoption of a community
18 redevelopment plan; amending s. 163.361, F.S.;
19 revising provisions governing modification of a
20 redevelopment plan; amending s. 163.362, F.S.;
21 revising provisions specifying the required
22 contents of a redevelopment plan; clarifying
23 relocation requirements; removing the
24 requirement for an element of residential use
25 in the redevelopment area for certain plans;
26 limiting and clarifying the costs that must be
27 stated; removing a requirement to provide a
28 time certain for completion of redevelopment
29 funded by tax increment revenues; requiring
30 provision of a time certain for annual payment
31 of increment revenues by a taxing authority;

1 | amending s. 163.365, F.S.; revising
2 | requirements governing development, adoption,
3 | and contents of a neighborhood and
4 | communitywide plan; authorizing preparation of
5 | a redevelopment plan by a redevelopment agency;
6 | removing provisions concerning general planning
7 | and appropriation authority of a county or
8 | municipality; amending s. 163.367, F.S.;
9 | authorizing an officer of a redevelopment
10 | agency to hold another county or municipal
11 | office under specified conditions; amending s.
12 | 163.370, F.S.; granting certain powers to a
13 | redevelopment agency; revising provisions
14 | granting powers to counties and municipalities;
15 | authorizing a county, municipality, or
16 | redevelopment agency to exercise powers granted
17 | by certain other laws to a county,
18 | municipality, or redevelopment agency;
19 | authorizing a county, municipality, or
20 | redevelopment agency to disseminate certain
21 | promotional information; requiring such
22 | entities to conform to a specified law when
23 | disposing of property in a redevelopment area;
24 | removing a constraint on the acquisition of
25 | certain personal property by such entities;
26 | removing constraints on powers of such entities
27 | regarding certain surveys, plans, or
28 | administrative efforts; revising provisions
29 | limiting the use of increment revenues for
30 | certain capital improvement projects or
31 | government operating expenses; revising

1 provisions governing the acquisition of real
2 property by a redevelopment agency prior to
3 approval of a redevelopment plan; amending s.
4 163.375, F.S.; removing provisions granting
5 eminent domain authority to a county or
6 municipality for certain purposes relating to
7 community redevelopment; revising provisions by
8 which a county or municipality may authorize a
9 redevelopment agency to exercise the power of
10 eminent domain for certain purposes relating to
11 community redevelopment; amending s. 163.380,
12 F.S.; revising requirements governing
13 disposition or use of property acquired for
14 community redevelopment; removing authorization
15 for certain decisions by a county or
16 municipality regarding the disposition or use
17 of such property; authorizing a redevelopment
18 agency to include provisions concerning blight
19 in a contract governing the use of such
20 property; removing a requirement for approval
21 by a governing body after a public hearing
22 prior to disposition of such property for less
23 than fair value; removing requirements that a
24 county or municipality, in addition to a
25 redevelopment agency, expedite transfer of or
26 provide public notice regarding the disposition
27 of certain land; revising requirements for
28 provision of public notice, solicitation,
29 review, and acceptance of redevelopment
30 proposals prior to disposition of certain land;
31 amending s. 163.387, F.S.; revising provisions

1 governing establishment of a redevelopment
2 trust fund and use of tax increment revenues;
3 authorizing establishment of a redevelopment
4 trust fund; prohibiting use of increment
5 revenues by a redevelopment agency unless the
6 trust fund is established and funding is
7 provided; revising criteria governing the
8 amount of the annual contribution by a taxing
9 authority to the redevelopment trust fund, the
10 period that such annual contribution must
11 continue, and the penalty should such
12 contribution not be timely made; transferring
13 from a local governing body to a redevelopment
14 agency authority concerning an exemption of
15 certain special districts from the requirement
16 to make such annual contributions; revising
17 provisions governing such exemptions; revising
18 provisions governing the duration of the
19 requirement for an annual contribution of tax
20 increment revenues; removing provisions
21 governing permissible expenditures and auditing
22 of redevelopment trust fund moneys; amending s.
23 163.395, F.S.; removing provisions exempting
24 the property of a county or municipality from
25 levy or sale pursuant to execution or from a
26 charge or lien pursuant to a judgment; removing
27 provisions exempting property acquired or held
28 by a county or municipality for certain
29 community redevelopment purposes from taxation
30 by the county or municipality; exempting
31 property held by a community redevelopment

1 agency from taxation by a special district;
2 amending s. 163.400, F.S.; including
3 redevelopment agencies in provisions governing
4 cooperation by public bodies; including
5 purposes relating to the activities of a
6 redevelopment agency within the purposes for
7 which a county or municipality may issue
8 general obligation bonds; amending s. 163.410,
9 F.S.; revising provisions governing delegation
10 of powers to a municipality by certain charter
11 counties; amending s. 163.415, F.S.; requiring
12 municipal consent prior to the exercise of
13 powers by a county within a municipality;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Subsections (2), (8), (11), (12), (17), and
19 (22) of section 163.340, Florida Statutes, are amended, and
20 subsections (24) and (25) are added to that section, to read:

21 163.340 Definitions.--The following terms, wherever
22 used or referred to in this part, have the following meanings:

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

27 (3) "Governing body" means the elected council,
28 commission, or other legislative body charged with governing a
29 ~~the~~ county or municipality which made the finding under s.
30 163.355 and created or designated the agency.

31

1 (8) "Blighted area" or "area in need of redevelopment"
2 means an area in which there are a substantial number of
3 deteriorated, or deteriorating structures, in which
4 conditions, as indicated by government-maintained statistics
5 or other studies, are leading to economic distress or endanger
6 life or property, and in which two or more of the following
7 factors are present:

8 (a) Predominance of defective or inadequate street
9 layout, parking facilities, roadways, bridges, or public
10 transportation facilities;

11 (b) Aggregate assessed values of real property in the
12 area for ad valorem tax purposes have failed to show any
13 appreciable increase over the 5 years prior to the finding of
14 such conditions;

15 (c) Faulty lot layout in relation to size, adequacy,
16 accessibility, or usefulness;

17 (d) Unsanitary or unsafe conditions;

18 (e) Deterioration of site or other improvements;

19 (f) Inadequate and outdated building density patterns;

20 (g) Falling lease rates per square foot of office,
21 commercial, or industrial space compared to the remainder of
22 the county or municipality;

23 (h) Tax or special assessment delinquency exceeding
24 the fair value of the land;

25 (i) Residential and commercial vacancy rates higher in
26 the area than in the remainder of the county or municipality;

27 (j) Incidence of crime in the area higher than in the
28 remainder of the county or municipality;

29 (k) Fire and emergency medical service calls to the
30 area proportionately higher than in the remainder of the
31 county or municipality;

1 (1) A greater number of violations of the Florida
2 Building Code in the area than the number of violations
3 recorded in the remainder of the county or municipality;

4 (m) Diversity of ownership or defective or unusual
5 conditions of title which prevent the free alienability of
6 land within the deteriorated or hazardous area; or

7 (n) Governmentally owned property with adverse
8 environmental conditions caused by a public or private entity.

9
10 ~~However, the term "blighted area" also means any area in which~~
11 ~~at least one of the factors identified in paragraphs (a)~~
12 ~~through (n) are present and all taxing authorities subject to~~
13 ~~s. 163.387(2)(a) agree, either by interlocal agreement or~~
14 ~~agreements with the agency or by resolution, that the area is~~
15 ~~blighted. Such agreement or resolution shall only determine~~
16 ~~that the area is blighted.~~ For purposes of qualifying for the
17 tax credits authorized in chapter 220, "blighted area" means
18 an area as defined in this subsection.

19 (11) "Community redevelopment plan" means a plan, as
20 it exists from time to time, for the redevelopment of a
21 community redevelopment area.

22 (12) "Related activities" means:

23 (a) Planning work for the preparation of a general
24 neighborhood redevelopment plan or for the preparation or
25 completion of a communitywide plan or program pursuant to s.
26 163.365.

27 (b) The functions related to the acquisition and
28 disposal of real property pursuant to s. 163.370(3).

29 (c) The development of affordable housing for
30 residents of the area.

31 (d) The development of community policing innovations.

1 (e) The marketing and promotion of the community
2 redevelopment area.

3 (17) "Area of operation" means, for a county, the area
4 within the boundaries of the county, the area within the
5 boundaries of the county which is designated as a community
6 redevelopment area, and for a municipality, the area within
7 the corporate limits of the municipality which is designated
8 as a community redevelopment area.

9 (22) "Increment revenue" means the amount calculated
10 pursuant to s. 163.387(1) which must, pursuant to s.
11 163.387(2), be appropriated or paid to a redevelopment fund by
12 each taxing authority.

13 (24) "Taxing authority" means a public body that
14 levies an ad valorem tax on real property located in a
15 community redevelopment area. The term excludes a public body
16 exempted pursuant to s. 163.387(2) from the obligation to
17 appropriate increment revenues to a redevelopment trust fund.

18 (25) "Comprehensive plan" or "general plan" means the
19 comprehensive plan adopted by a governing body pursuant to
20 part II of this chapter and any amendments to the plan.

21 Section 2. Subsection (1) of section 163.345, Florida
22 Statutes, is amended to read:

23 163.345 Encouragement of private enterprise.--

24 (1) Any county, ~~or~~ municipality, or agency to the
25 greatest extent it determines to be feasible in carrying out
26 ~~the provisions of~~ this part, shall afford maximum opportunity,
27 consistent with the sound needs of the county or municipality
28 as a whole, to the rehabilitation or redevelopment of the
29 community redevelopment area by private enterprise. Any
30 county, ~~or~~ municipality, or agency shall give consideration to
31 this objective in exercising its powers under this part,

1 including the formulation of a workable program; the approval
2 of community redevelopment plans, communitywide plans or
3 programs for community redevelopment, and general neighborhood
4 redevelopment plans (consistent with the comprehensive general
5 plan of the county or municipality); the development and
6 implementation of community policing innovations; the exercise
7 of ~~its~~ zoning powers; the enforcement of other laws, codes,
8 and regulations relating to the use of land and the use and
9 occupancy of buildings and improvements; the development of
10 affordable housing; the disposition of any property acquired;
11 and the provision of necessary public improvements.

12 Section 3. Section 163.346, Florida Statutes, is
13 amended to read:

14 163.346 Notice to taxing authorities.--Before the
15 governing body adopts any resolution or enacts any ordinance
16 required under s. 163.355, s. 163.356, s. 163.357, or s.
17 163.387; creates a community redevelopment agency; approves,
18 adopts, or amends a community redevelopment plan; or
19 authorizes or approves the issuance of issues redevelopment
20 revenue bonds under s. 163.385, the governing body must
21 provide public notice of such proposed action in accordance
22 with ~~pursuant to~~ s. 125.66(2) or s. 166.041(3)(a) and, at
23 least 15 days before such proposed action, mail by registered
24 or certified mail a notice to each taxing authority which
25 levies ad valorem taxes on taxable real property contained
26 within the geographic boundaries of the redevelopment area.

27 Section 4. Section 163.350, Florida Statutes, is
28 amended to read:

29 163.350 Workable program.--Any agency ~~county or~~
30 ~~municipality~~ for the purposes of this part may formulate for
31 the agency ~~county or municipality~~ a workable program for

1 | utilizing appropriate private and public resources to
2 | eliminate and prevent the development or spread of slums or
3 | ~~and urban~~ blight, to encourage needed community
4 | rehabilitation, to provide for the redevelopment of slum or
5 | ~~and~~ blighted areas, to provide housing affordable to residents
6 | of low or moderate income, including the elderly, or to
7 | undertake such of the aforesaid activities or other feasible
8 | county or municipal activities as may be suitably employed to
9 | achieve the objectives of such workable program. Such workable
10 | program may include provision for the prevention of the spread
11 | of blight into areas of the county or municipality which are
12 | free from blight through diligent enforcement of housing,
13 | zoning, and occupancy controls and standards; the
14 | rehabilitation or conservation of slum or ~~and~~ blighted areas
15 | or portions thereof by replanning, removing congestion,
16 | providing parks, playgrounds, and other public improvements,
17 | encouraging voluntary rehabilitation, and compelling the
18 | repair and rehabilitation of deteriorated or deteriorating
19 | structures; the development of affordable housing; the
20 | implementation of community policing innovations; and the
21 | clearance and redevelopment of slum or ~~and~~ blighted areas or
22 | portions thereof.

23 | Section 5. Section 163.355, Florida Statutes, is
24 | amended to read:

25 | 163.355 Finding of necessity by county or
26 | municipality.--No county, ~~or~~ municipality, or agency shall
27 | exercise the powers ~~community redevelopment authority~~
28 | conferred by this part until after the governing body has
29 | adopted a resolution, supported by data and analysis, which
30 | makes a legislative finding that the conditions in the area
31 |

1 meet the criteria described in s. 163.340(7) or (8). The
2 resolution must state that:

3 (1) One or more slum or blighted areas, or one or more
4 areas in which there is a shortage of housing affordable to
5 residents of low or moderate income, including the elderly,
6 exist in such county or municipality; and

7 (2) The rehabilitation, conservation, or
8 redevelopment, or a combination thereof, of such area or
9 areas, including, if appropriate, the development of housing
10 which residents of low or moderate income, including the
11 elderly, can afford, is necessary in the interest of the
12 public health, safety, morals, or welfare of the residents of
13 such county or municipality.

14 Section 6. Section 163.356, Florida Statutes, is
15 amended to read:

16 163.356 Creation of community redevelopment agency.--

17 (1) Upon a finding of necessity as set forth in s.
18 163.355, and upon a further finding that there is a need for a
19 community redevelopment agency to function in the county or
20 municipality to carry out the community redevelopment purposes
21 of this part, any county or municipality may create one or
22 more entities, each constituting a public body corporate and
23 politic to be known as a "community redevelopment agency." A
24 charter county having a population less than or equal to 1.6
25 million may create, by a vote of at least a majority plus one
26 of the entire governing body of the charter county, more than
27 one community redevelopment agency. Each such agency shall be
28 constituted as a public instrumentality, and the exercise by a
29 community redevelopment agency of the powers conferred by this
30 part shall be deemed and held to be the performance of an
31 essential public function. ~~Community redevelopment agencies of~~

1 ~~a county have the power to function within the corporate~~
2 ~~limits of a municipality only as, if, and when the governing~~
3 ~~body of the municipality has by resolution concurred in the~~
4 ~~community redevelopment plan or plans proposed by the~~
5 ~~governing body of the county.~~

6 (2) When the governing body adopts a resolution
7 declaring the need for a community redevelopment agency, that
8 body shall, by resolution ~~ordinance~~, appoint a board of
9 commissioners of the community redevelopment agency, which
10 shall consist of not fewer than five or more than nine
11 commissioners. The terms of office of the commissioners shall
12 be for 4 years, except that three of the members first
13 appointed shall be designated to serve terms of 1, 2, and 3
14 years, respectively, from the date of their appointments, and
15 all other members shall be designated to serve for terms of 4
16 years from the date of their appointments. A vacancy occurring
17 during a term shall be filled for the unexpired term. The
18 governing board shall, by resolution, appoint or reappoint
19 individuals to serve as commissioners of the agency upon the
20 expiration of any term of office of a member of the board of
21 commissioners of the agency.

22 (3)(a) A commissioner shall receive no compensation
23 for services, but is entitled to the necessary expenses,
24 including travel expenses, incurred in the discharge of
25 duties. Each commissioner shall hold office until his or her
26 successor has been appointed and has qualified. A certificate
27 of the appointment or reappointment of any commissioner shall
28 be filed with the clerk of the county or municipality, and
29 such certificate is conclusive evidence of the due and proper
30 appointment of such commissioner.

31

1 (b) The powers of a community redevelopment agency
2 shall be exercised by the commissioners thereof. A majority of
3 the commissioners constitutes a quorum for the purpose of
4 conducting business and exercising the powers of the agency
5 and for all other purposes. Action may be taken by the agency
6 upon a vote of a majority of the commissioners present, unless
7 ~~in any case~~ the bylaws require a larger number. Any person may
8 be appointed as commissioner if he or she resides or is
9 engaged in business, which means owning a business, practicing
10 a profession, or performing a service for compensation, or
11 serving as an officer or director of a corporation or other
12 business entity so engaged, within the community redevelopment
13 ~~area of operation of the agency, which shall be coterminous~~
14 ~~with the area of operation of the county or municipality,~~ and
15 is otherwise eligible for such appointment under this part.

16 (c) The governing body of the county or municipality
17 shall, by resolution, designate a chair and vice chair from
18 among the commissioners. An agency may employ an executive
19 director, technical experts, and such other agents and
20 employees, permanent and temporary, as it requires, and
21 determine their qualifications, duties, and compensation. For
22 such legal service as it requires, an agency may employ or
23 retain its own counsel and legal staff. An agency authorized
24 to transact business and exercise powers under this part shall
25 file with each taxing authority ~~the governing body,~~ on or
26 before March 31 of each year, a report of its activities for
27 the preceding fiscal year, which report shall include a
28 complete financial statement setting forth its assets,
29 liabilities, income, and operating expenses as of the end of
30 such fiscal year. At the time of filing the report, the agency
31 shall publish in a newspaper of general circulation in the

1 | community redevelopment area of the agency a notice to the
2 | effect that such report has been filed with each taxing
3 | authority ~~the county or municipality~~ and that the report is
4 | available for inspection during business hours in the office
5 | of the clerk of the taxing authority ~~city or county commission~~
6 | and in the office of the agency.

7 | (d) ~~At~~ Any time after the creation of a community
8 | redevelopment agency, the governing body ~~of the county or~~
9 | ~~municipality~~ may appropriate to the agency such amounts as the
10 | governing body deems necessary for the operations and
11 | undertakings ~~administrative expenses and overhead~~ of the
12 | agency, including the development and implementation of
13 | community policing innovations.

14 | (e) The governing body or the agency may create an
15 | advisory board to the agency to assist the board of
16 | commissioners of the agency as may be provided by resolution
17 | of the governing body creating the advisory board or the
18 | bylaws adopted by the agency.

19 | (4) The governing body may remove a commissioner for
20 | inefficiency, neglect of duty, or misconduct in office only
21 | after a hearing and only if he or she has been given a copy of
22 | the charges at least 10 days prior to such hearing and has had
23 | an opportunity to be heard in person or by counsel.

24 | (5) A community redevelopment agency is a separate and
25 | distinct legal entity from the governing body and the taxing
26 | authority. Each community redevelopment agency shall adopt
27 | bylaws providing for the organization and operation of the
28 | agency.

29 | Section 7. Subsection (1) of section 163.357, Florida
30 | Statutes, is amended to read:
31 |

1 163.357 Governing body as the community redevelopment
2 agency.--

3 (1)(a) As an alternative to the appointment of
4 ~~commissioners not fewer than five or more than seven members~~
5 of the agency pursuant to s. 163.356, the governing body may,
6 at the time of the adoption of a resolution under s. 163.355,
7 or at any time thereafter by adoption of a resolution, declare
8 the members of the governing body itself to be the board of
9 commissioners of the an agency as an additional duty of
10 office, in which case all the rights, powers, duties,
11 privileges, and immunities vested by this part in an agency
12 will be vested in the members of the governing body
13 constituting the board of commissioners of the agency of the
14 ~~county or municipality~~, subject to all responsibilities and
15 liabilities imposed or incurred.

16 (b) The members of the governing body serving as the
17 board of commissioners of the agency ~~shall be the members of~~
18 ~~the agency, but such members~~ constitute the head of a legal
19 entity, separate, distinct, and independent from the governing
20 body of the county or municipality. If the governing body
21 declares itself to be the board of commissioners of the an
22 ~~agency which already exists~~, the newly constituted board of
23 commissioners new agency is subject to all of the
24 responsibilities and liabilities imposed or incurred by the
25 prior board of commissioners existing agency.

26 (c) A governing body that ~~which~~ consists of five
27 members may appoint two additional individuals ~~persons~~ to act
28 as members of the board of commissioners of the community
29 redevelopment agency. The terms of office of the additional
30 members shall be for 4 years, except that the first person
31 appointed shall initially serve a term of 2 years. Persons

1 appointed under this section are subject to the ~~all~~ provisions
2 of s. 163.356 ~~this part~~ relating to appointed members of the
3 board of commissioners of a community redevelopment agency.

4 (d) As provided in an interlocal agreement between the
5 governing body and one or more taxing authorities, one or more
6 members of the board of commissioners of an agency may be
7 representatives of a taxing authority.

8 Section 8. Section 163.358, Florida Statutes, is
9 amended to read:

10 163.358 Exercise of powers in carrying out community
11 redevelopment and related activities.--The community
12 redevelopment powers assigned to a community redevelopment
13 agency created under s. 163.356 or s. 163.357 include all the
14 powers necessary or convenient to carry out and effectuate the
15 purposes and provisions of this part, except the following,
16 which continue to vest in the governing body ~~of the county or~~
17 ~~municipality~~:

18 (1) The power to determine an area to be a slum or
19 blighted area or an area in need of redevelopment, or
20 combination thereof; to designate such area as appropriate for
21 community redevelopment; and to hold any public hearings
22 required with respect thereto.

23 (2) The power to grant final approval to community
24 redevelopment plans and modifications thereof.

25 (3) The power to authorize the issuance of revenue
26 bonds as set forth in s. 163.385.

27 (4) The power to approve the acquisition, demolition,
28 removal, or disposal of property as provided in s. 163.370(3)
29 and the power to assume the responsibility to bear loss as
30 provided in s. 163.370(3).
31

1 (5) The power to approve the development of community
2 policing innovations.

3 (6) The power to authorize the exercise of eminent
4 domain pursuant to s. 163.375.

5 Section 9. Section 163.360, Florida Statutes, is
6 amended to read:

7 163.360 Community redevelopment plans.--

8 (1) Community redevelopment in a community
9 redevelopment area shall not be planned or initiated unless
10 the governing body has, by resolution, determined such area to
11 be a slum area, a blighted area, an area in need of
12 redevelopment, or an area in which there is a shortage of
13 housing affordable to residents of low or moderate income,
14 including the elderly, or a combination thereof, and
15 designated such area as appropriate for community
16 redevelopment.

17 (2) The community redevelopment plan shall:

18 (a) Conform to the comprehensive plan for the county
19 or municipality ~~as prepared by the local planning agency under~~
20 ~~the Local Government Comprehensive Planning and Land~~
21 ~~Development Regulation Act.~~

22 (b) Be sufficiently complete to indicate such land
23 acquisition, demolition and removal of structures,
24 redevelopment, improvements, and rehabilitation as may be
25 proposed to be carried out in the community redevelopment
26 area; zoning and planning changes, if any; land uses; maximum
27 densities; and building requirements.

28 (c) Provide for the development of affordable housing
29 in the area, or state the reasons for not addressing in the
30 plan the development of affordable housing in the area. The
31 ~~county, municipality, or~~ community redevelopment agency shall

1 | coordinate with each housing authority or other affordable
2 | housing entities functioning within the geographic boundaries
3 | of the redevelopment area, concerning the development of
4 | affordable housing in the area.

5 | (3) The community redevelopment plan may provide for
6 | the development and implementation of community policing
7 | innovations.

8 | (4) The county, municipality, or community
9 | redevelopment agency may itself prepare or cause to be
10 | prepared a community redevelopment plan, or any person or
11 | agency, public or private, may submit such a plan to a
12 | community redevelopment agency. Prior to its consideration of
13 | a community redevelopment plan, the community redevelopment
14 | agency shall submit such plan to the local planning agency of
15 | the county or municipality that created the agency for review,
16 | ~~and~~ and recommendations, and comments as to its conformity with
17 | the comprehensive plan ~~for the development~~ of the county or
18 | municipality ~~as a whole~~. The local planning agency shall
19 | submit its written recommendations or comments with respect to
20 | the ~~conformity of the~~ proposed community redevelopment plan to
21 | the community redevelopment agency within 60 days after
22 | receipt of the proposed plan for review. Upon receipt of the
23 | recommendations or comments of the local planning agency, or,
24 | if no recommendations or comments are received within such 60
25 | days, ~~then~~ without such recommendations or comments, the
26 | community redevelopment agency may proceed with its
27 | consideration of the proposed community redevelopment plan.

28 | (5) The community redevelopment agency shall submit
29 | any community redevelopment plan it recommends for approval,
30 | together with its written recommendations, to the governing
31 | body and to each taxing authority ~~that levies ad valorem taxes~~

1 ~~on taxable real property contained within the geographic~~
2 ~~boundaries of the redevelopment area.~~ The governing body shall
3 then proceed with the public hearing on the proposed community
4 redevelopment plan as prescribed by subsection (6).

5 (6) The governing body shall hold a public hearing on
6 a proposed community redevelopment plan after public notice
7 thereof by publication in a newspaper having a general
8 circulation in the community redevelopment area ~~of operation~~
9 ~~of the county or municipality.~~ The notice shall be published
10 at least 10 days before the public hearing and shall describe
11 the time, date, place, and purpose of the hearing, identify
12 generally the community redevelopment area covered by the
13 plan, and outline the general scope of the proposed community
14 redevelopment plan under consideration.

15 (7) Following such hearing, the governing body may
16 approve the community redevelopment ~~and the plan therefor~~ if
17 it finds that:

18 (a) A feasible method exists for the location of
19 residents and businesses ~~families~~ who will be displaced from
20 the community redevelopment area in decent, safe, and sanitary
21 dwelling accommodations within their means and without undue
22 hardship to such residents and businesses ~~families~~;

23 (b) The community redevelopment plan conforms to the
24 comprehensive ~~general~~ plan of the county or municipality that
25 created the agency as a whole;

26 (c) The community redevelopment plan gives due
27 consideration to the utilization of community policing
28 innovations, and to the provision of adequate park and
29 recreational areas and facilities that may be desirable for
30 neighborhood improvement, with special consideration for the
31 health, safety, and welfare of children residing in the

1 ~~community redevelopment area general vicinity of the site~~
2 ~~covered by the plans;~~

3 (d) The community redevelopment plan will afford
4 maximum opportunity, consistent with the sound needs of the
5 county or municipality as a whole, for the rehabilitation or
6 redevelopment of the community redevelopment area, in whole or
7 in part, by private enterprise; and

8 (e) The community redevelopment plan and resulting
9 revitalization and redevelopment for a coastal tourist area
10 that is deteriorating and economically distressed will reduce
11 or maintain evacuation time, as appropriate, and ensure
12 protection for property against exposure to natural disasters.

13 (8) If the community redevelopment area includes
14 ~~consists of an area of open~~ land to be acquired by the county,
15 ~~or the municipality, or the agency for redevelopment,~~ such
16 area may not be ~~so~~ acquired unless:

17 (a) ~~If in the event~~ the area is to be developed in
18 whole or in part for residential uses, the governing body
19 determines that:

20 1. ~~A That~~ shortage of housing of sound standards and
21 design which is decent, safe, affordable to residents of low
22 or moderate income, including the elderly, and sanitary exists
23 in the county or municipality;

24 2. ~~A That the~~ need for housing accommodations exists
25 ~~has increased~~ in the area;

26 3. ~~That~~ The conditions of slum or blight in the area
27 or the shortage of decent, safe, affordable, and sanitary
28 housing cause or contribute to ~~an increase in and spread of~~
29 disease and crime that ~~or~~ constitute a menace to the public
30 health, safety, morals, or welfare; or ~~and~~

31

1 4. ~~That~~ The acquisition ~~of the area~~ for residential
2 uses is an integral part of and is essential to the program of
3 the county or municipality.

4 (b) ~~If in the event~~ the area is to be developed in
5 whole or in part for nonresidential uses, the governing body
6 determines that:

7 1. Such nonresidential uses are necessary and
8 appropriate to facilitate the proper growth and development of
9 the community redevelopment area in accordance with sound
10 planning standards and local ~~community~~ objectives.

11 2. Acquisition may require the exercise of
12 governmental action, as provided in this part, because of:

13 a. Defective, or unusual conditions of, title or
14 diversity of ownership which prevents the free alienability of
15 such land;

16 b. Tax delinquency;

17 c. Improper subdivisions;

18 d. Outmoded street patterns;

19 e. Deterioration of site;

20 f. Economic disuse;

21 g. Unsuitable topography or faulty lot layouts;

22 h. Lack of correlation of the area with other areas of
23 the a county or municipality by streets and modern traffic
24 requirements; or

25 i. Any combination of such factors or other conditions
26 which retard development of the area.

27 3. Conditions of slum or blight in the area contribute
28 to an increase in and spread of disease and crime or
29 constitute a menace to public health, safety, morals, or
30 welfare.

31

1 (9) Upon the approval by the governing body of a
2 community redevelopment plan or of any modification thereof,
3 such plan or modification shall be deemed to be in full force
4 and effect for the respective community redevelopment area,
5 and the governing body shall ~~county or municipality may then~~
6 cause the community redevelopment agency to carry out such
7 plan or modification in accordance with its terms.

8 (10) Notwithstanding any other provisions of this
9 part, when the governing body certifies that an area is in
10 need of redevelopment or rehabilitation as a result of an
11 emergency under s. 252.34(3), with respect to which the
12 Governor has certified the need for emergency assistance under
13 federal law, that area may be certified as a "blighted area,"
14 or an "area in need of redevelopment," and the governing body
15 may approve a community redevelopment plan and community
16 redevelopment with respect to such area without regard to the
17 provisions of this section requiring review by the local
18 planning agency ~~a general plan for the county or municipality~~
19 and a public hearing on the community redevelopment plan.

20 Section 10. Section 163.361, Florida Statutes, is
21 amended to read:

22 163.361 Modification of community redevelopment
23 plans.--

24 (1) If at any time after the approval of a community
25 redevelopment plan by the governing body it becomes necessary
26 or desirable to amend or modify such plan, the governing body
27 may amend such plan upon the recommendation of the agency. The
28 agency recommendation to amend or modify a redevelopment plan
29 may include a change in the boundaries of the community
30 redevelopment area to add land to or exclude land from the
31

1 community redevelopment area, or may include the development
2 and implementation of community policing innovations.

3 (2) The governing body shall hold a public hearing on
4 a proposed modification of any community redevelopment plan
5 after public notice thereof by publication in a newspaper
6 having a general circulation in the community redevelopment
7 ~~area of operation of the agency.~~

8 (3) In addition to the requirements of s. 163.346, and
9 prior to the adoption of any modification to a community
10 redevelopment plan that expands the boundaries of the
11 community redevelopment area or extends the time certain set
12 forth in the redevelopment plan as required by s. 163.362(10),
13 the agency shall report such proposed modification to each
14 taxing authority in writing or by an oral presentation, or
15 both, regarding such proposed modification.

16 (4) A modification to a community redevelopment plan
17 that includes a change in the boundaries of the community
18 redevelopment area to add land must be supported by a
19 resolution satisfying the requirements ~~as provided~~ in s.
20 163.355.

21 (5) If a community redevelopment plan is modified by
22 the governing body ~~county or municipality~~ after the lease or
23 sale of real property in the community redevelopment area,
24 such modification may be conditioned upon such approval of the
25 owner, lessee, or successor in interest as the governing body
26 considers ~~county or municipality may deem~~ advisable and, in
27 any event, shall be subject to such rights at law or in equity
28 as a lessee or purchaser, or his or her successor or
29 successors in interest, may be entitled to assert.

30 (6) The procedure specified in s. 163.360 governs each
31 modification to an existing community redevelopment plan and

1 the preparation, review, consideration, or approval of any
2 such modification must conform to such procedure.

3 Section 11. Subsections (2), (3), (6), (7), (8), (9),
4 and (10) of section 163.362, Florida Statutes, are amended to
5 read:

6 163.362 Contents of community redevelopment
7 plan.--Every community redevelopment plan shall:

8 (2) Show by diagram and in general terms:

9 (a) The approximate amount of open space ~~to be~~
10 ~~provided~~ and the street layout.

11 (b) Limitations on the type, size, height, number, and
12 proposed use of buildings.

13 (c) The approximate number of dwelling units.

14 (d) Such property as is intended for use as public
15 parks, recreation areas, streets, public utilities, and public
16 improvements of any nature.

17 (3) If the community redevelopment area contains low
18 or moderate income housing, contain a neighborhood impact
19 element which describes in detail the impact of the
20 redevelopment upon the residents of the community
21 redevelopment area and the surrounding areas in terms of
22 relocation, traffic circulation, environmental quality,
23 availability of community facilities and services, effect on
24 school population, and other matters affecting the physical
25 and social quality of the neighborhood.

26 (6) Provide for the retention of controls and the
27 establishment of any restrictions or covenants running with
28 land sold or leased ~~by a for~~ private person use for such
29 periods of time and under such conditions as the governing
30 body deems necessary to effectuate the purposes of this part.

31

1 (7) Provide assurances that there will be replacement
2 housing within or outside the community redevelopment area for
3 the relocation of individuals or businesses ~~persons~~
4 temporarily or permanently displaced from ~~housing~~ facilities
5 within the community redevelopment area.

6 (8) State whether ~~Provide an element of residential~~
7 ~~use in the redevelopment area if such use exists in the area~~
8 ~~prior to the adoption of the plan or if the plan is intended~~
9 to remedy a shortage of housing affordable to residents of low
10 or moderate income, including the elderly, and ~~or~~ if the plan
11 is not intended to remedy such shortage, the reasons therefor.

12 (9) Contain a ~~detailed~~ statement of the ~~projected~~
13 ~~costs of the redevelopment, including the amount to be~~
14 expended on publicly funded capital projects in the community
15 redevelopment area and a description of any anticipated
16 indebtedness of the community redevelopment agency, the
17 county, or the municipality proposed to be incurred for such
18 redevelopment, which if such indebtedness is to be repaid from
19 the funds deposited in a community redevelopment trust fund
20 established under s. 163.387 with increment revenues.

21 (10) Provide a time certain for the annual obligation
22 of each taxing authority to pay ~~completing all redevelopment~~
23 ~~financed by~~ increment revenues into the community
24 redevelopment trust fund. Such time certain ~~must~~ ~~shall~~ occur
25 no later than 30 years after the fiscal year in which the plan
26 is approved, adopted, or amended pursuant to s. 163.361(1).
27 However, for any agency created after July 1, 2002, the time
28 certain ~~for completing all redevelopment financed by increment~~
29 ~~revenues~~ must occur no later than within 40 years after the
30 fiscal year in which the plan is approved or adopted.

31

1 Section 12. Section 163.365, Florida Statutes, is
2 amended to read:

3 163.365 Neighborhood and communitywide plans.--

4 (1) Any municipality, ~~or county,~~ community
5 redevelopment agency, or ~~any~~ public body authorized to perform
6 planning work may prepare a general neighborhood redevelopment
7 plan for a community redevelopment area or areas, together
8 with any adjoining areas having specially related problems,
9 which may be of such scope that redevelopment activities may
10 have to be carried out in stages. Such plans may include, but
11 not be limited to, a preliminary plan which:

12 (a) Outlines the community redevelopment activities
13 proposed for the area involved;

14 (b) Provides a framework for the preparation of
15 community redevelopment plans; and

16 (c) Indicates generally the land uses, population
17 density, building coverage, prospective requirements for
18 rehabilitation and improvement of property and portions of the
19 area contemplated for clearance and redevelopment.

20
21 A general neighborhood redevelopment plan shall, in the
22 determination of the governing body, conform to the general
23 plan of the locality as a whole and the workable program of
24 the county or municipality.

25 (2) Any ~~county or municipality or any~~ public body
26 ~~authorized to perform planning work~~ may prepare or complete a
27 ~~communitywide plan or program for~~ community redevelopment plan
28 that must which shall conform to the requirements of s.
29 163.362 and be adopted as provided in s. 163.360. ~~general plan~~
30 ~~for the development of the county or municipality as a whole~~
31 ~~and may include, but not be limited to, identification of slum~~

1 ~~or blighted areas, measurement of blight, determination of~~
2 ~~resources needed and available to renew such areas,~~
3 ~~identification of potential project areas and types of action~~
4 ~~contemplated, including the development of affordable housing~~
5 ~~if needed and appropriate for the area, and scheduling of~~
6 ~~community redevelopment activities.~~

7 ~~(3) Authority is hereby vested in every county and~~
8 ~~municipality to prepare, adopt, and revise from time to time a~~
9 ~~general plan for the physical development of the county or~~
10 ~~municipality as a whole (giving due regard to the environs and~~
11 ~~metropolitan surroundings), to establish and maintain a~~
12 ~~planning commission for such purpose and related county or~~
13 ~~municipal planning activities, and to make available and to~~
14 ~~appropriate necessary funds therefor.~~

15 Section 13. Subsection (3) of section 163.367, Florida
16 Statutes, is amended to read:

17 163.367 Public officials, commissioners, and employees
18 subject to code of ethics.--

19 (3) Except as specifically provided in this part, a ~~No~~
20 commissioner or other officer of any community redevelopment
21 agency may not, ~~board, or commission exercising powers~~
22 ~~pursuant to this part shall~~ hold any other public office under
23 the county or municipality other than his or her
24 commissionership or office with respect to such community
25 redevelopment agency, ~~board, or commission.~~

26 Section 14. Subsection (1), paragraphs (b) and (c) of
27 subsection (2), and paragraph (a) of subsection (3) of section
28 163.370, Florida Statutes, are amended to read:

29 163.370 Powers; counties and municipalities; community
30 redevelopment agencies.--

31

1 (1) In addition to the powers otherwise granted by the
2 State Constitution, chapter 125, this chapter or chapter 166,
3 any ~~Every~~ county, ~~and~~ municipality, ~~and~~ agency shall have all
4 the powers necessary or convenient to carry out and effectuate
5 the purposes and provisions of this part, including the
6 following powers ~~in addition to others herein granted~~:

7 (a) To make and execute contracts and other
8 instruments necessary or convenient to the exercise of its
9 powers under this part;

10 (b) To disseminate slum clearance and community
11 redevelopment information, including information marketing and
12 promoting the community redevelopment area and the activities
13 and undertakings of the agency;

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

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

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

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

29 4. Disposition, as provided in s. 163.380, of any
30 property acquired in the community redevelopment area at its
31

1 fair value for uses in accordance with the community
2 redevelopment plan.

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

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

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

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

29 9. Construction of foundations and platforms necessary
30 for the provision of air rights sites of housing (and related
31

1 facilities and uses) designed specifically for, and limited
2 to, families and individuals of low or moderate income.

3 (d) To provide, or to arrange or contract for, the
4 furnishing or repair by any person or agency, public or
5 private, of services, privileges, works, streets, roads,
6 public utilities, or other facilities for or in connection
7 with a community redevelopment; to install, construct, and
8 reconstruct streets, utilities, parks, playgrounds, and other
9 public improvements; and to agree to any conditions that it
10 deems reasonable and appropriate which are attached to federal
11 financial assistance and imposed pursuant to federal law
12 relating to the determination of prevailing salaries or wages
13 or compliance with labor standards, in the undertaking or
14 carrying out of a community redevelopment and related
15 activities, and to include in any contract let in connection
16 with such redevelopment and related activities provisions to
17 fulfill such of the conditions as it deems reasonable and
18 appropriate.

19 (e) Within the community redevelopment area:

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

25 2. To acquire by purchase, lease, option, gift, grant,
26 bequest, devise, eminent domain, or otherwise any personal or
27 real property~~(or personal property for its administrative~~
28 ~~purposes)~~, together with any improvements thereon; except that
29 a community redevelopment agency may not exercise any power of
30 eminent domain unless the exercise has been specifically
31

1 approved by the governing body ~~of the county or municipality~~
2 ~~which established the agency.~~

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

5 4. To mortgage, pledge, hypothecate, or otherwise
6 encumber or dispose of any real property.

7 5. To insure or provide for the insurance of any real
8 or personal property or operations of the county or
9 municipality against any risks or hazards, including the power
10 to pay premiums on any such insurance.

11 6. To enter into any contracts necessary to effectuate
12 the purposes of this part.

13 7. To solicit requests for proposals for redevelopment
14 of parcels of real property contemplated by a community
15 redevelopment plan to be acquired for redevelopment purposes
16 by a community redevelopment agency and, as a result of such
17 requests for proposals, to advertise for the disposition of
18 such real property to private persons pursuant to s. 163.380
19 prior to acquisition of such real property by the community
20 redevelopment agency.

21 (f) To invest any community redevelopment funds held
22 in reserves or sinking funds or any such funds not required
23 for immediate disbursement in property or securities in which
24 savings banks may legally invest funds subject to their
25 control and to redeem such bonds as have been issued pursuant
26 to s. 163.385 at the redemption price established therein or
27 to purchase such bonds at less than redemption price, all such
28 bonds so redeemed or purchased to be canceled.

29 (g) To borrow money and to apply for and accept
30 advances, loans, grants, contributions, and any other form of
31 financial assistance from the Federal Government or the state,

1 county, or other public body or from any sources, public or
2 private, for the purposes of this part and to give such
3 security as may be required and to enter into and carry out
4 contracts or agreements in connection therewith; and to
5 include in any contract for financial assistance with the
6 Federal Government for or with respect to community
7 redevelopment and related activities such conditions imposed
8 pursuant to federal laws as the county or municipality deems
9 reasonable and appropriate which are not inconsistent with the
10 purposes of this part.

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

17 1. Plans for carrying out a program of voluntary or
18 compulsory repair and rehabilitation of buildings and
19 improvements.

20 2. Plans for the enforcement of state and local laws,
21 codes, and regulations relating to the use of land and the use
22 and occupancy of buildings and improvements and to the
23 compulsory repair, rehabilitation, demolition, or removal of
24 buildings and improvements.

25 3. Appraisals, title searches, surveys, studies, and
26 other plans and work necessary to prepare for the undertaking
27 of community redevelopment and related activities.

28 (i) To develop, test, and report methods and
29 techniques, and carry out demonstrations and other activities,
30 for the prevention and the elimination of slums and urban
31

1 blight and developing and demonstrating new or improved means
2 of providing housing for families and persons of low income.

3 (j) To apply for, accept, and utilize grants of funds
4 from the Federal Government for such purposes.

5 (k) To prepare plans for and assist in the relocation
6 of persons (including individuals, families, business
7 concerns, nonprofit organizations, and others) displaced from
8 a community redevelopment area and to make relocation payments
9 to or with respect to such persons for moving expenses and
10 losses of property for which reimbursement or compensation is
11 not otherwise made, including the making of such payments
12 financed by the Federal Government.

13 (l) To appropriate such funds and make such
14 expenditures as are necessary to carry out the purposes of
15 this part; to zone or rezone any part of the county or
16 municipality or make exceptions from building regulations; and
17 to enter into agreements with a housing authority, which
18 agreements may extend over any period, notwithstanding any
19 provision or rule of law to the contrary, respecting action to
20 be taken by such county or municipality pursuant to any of the
21 powers granted by this part.

22 (m) To close, vacate, plan, or replan streets, roads,
23 sidewalks, ways, or other places and to plan or replan any
24 part of the county or municipality.

25 (n) ~~Within its area of operation,~~ To organize,
26 coordinate, and direct the administration of the provisions of
27 this part, as they may apply to such county or municipality,
28 in order that the objective of remedying slum and blighted
29 areas and preventing the causes thereof within such county or
30 municipality may be most effectively promoted and achieved and
31 to establish such new office or offices of the county or

1 municipality or to reorganize existing offices in order to
2 carry out such purpose most effectively.

3 (o) To exercise all or any part or combination of
4 powers herein granted or to elect to have such powers
5 exercised by a community redevelopment agency.

6 (p) To develop and implement community policing
7 innovations.

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

10 (b) Installation, construction, reconstruction,
11 repair, or alteration of any publicly owned capital
12 improvements or projects that were scheduled to ~~which are not~~
13 ~~an integral part of or necessary for carrying out the~~
14 ~~community redevelopment plan if such projects or improvements~~
15 ~~are normally financed by the governing body with user fees or~~
16 ~~if such projects or improvements would be installed,~~
17 constructed, reconstructed, repaired, or altered within 3
18 years after ~~of~~ the approval of the community redevelopment
19 plan by the governing body, which approval was pursuant to a
20 ~~previously approved~~ public capital improvement or project
21 schedule or plan that such ~~of the~~ governing body had
22 previously which approved, unless any such improvement or
23 project has been removed from the capital improvement or
24 project schedule or plan for not less than 3 years the
25 ~~community redevelopment plan.~~

26 (c) General government operating expenses unrelated to
27 the planning and carrying out of a community redevelopment
28 plan, including payment or reimbursement for services provided
29 to the agency by a public body.

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

1 (a) Prior to approval of a community redevelopment
2 plan or approval of any modifications of the plan, acquire
3 real property in a community redevelopment area, demolish and
4 remove any structures on the property, and pay all costs
5 related to the acquisition, demolition, or removal, including
6 any administrative or relocation expenses unless such
7 acquisition is pursuant to s. 163.375.

8 Section 15. Subsections (1) and (2) of section
9 163.375, Florida Statutes, are amended to read:

10 163.375 Eminent domain.--

11 (1) Any ~~county or municipality, or any~~ community
12 redevelopment agency, pursuant to specific approval of the
13 governing body ~~of the county or municipality which established~~
14 ~~the agency,~~ as authorized provided by a resolution of the
15 governing body, ~~any county or municipal ordinance~~ has the
16 right to acquire by condemnation any interest in real
17 property, including a fee simple title thereto, which it deems
18 necessary for, or in connection with, community redevelopment
19 and related activities under this part. Any ~~county or~~
20 ~~municipality, or any~~ community redevelopment agency pursuant
21 to such resolution of ~~specific approval by~~ the governing body
22 ~~of the county or municipality which established the agency, as~~
23 ~~provided by any county or municipal ordinance~~ may exercise the
24 power of eminent domain in the manner provided in chapters 73
25 and 74 and acts amendatory thereof or supplementary thereto,
26 or it may exercise the power of eminent domain in the manner
27 now or which may be hereafter provided by any other statutory
28 provision for the exercise of the power of eminent domain.
29 Property in unincorporated enclaves surrounded by the
30 boundaries of a community redevelopment area may be acquired
31 when it is determined necessary by the agency to accomplish

1 the community redevelopment plan. Property already devoted to
2 a public use may be acquired in like manner. However, no real
3 property belonging to the United States, the state, or any
4 political subdivision of the state may be acquired without its
5 consent. As used in this subsection the term "specific
6 approval" means the property to be acquired is identified for
7 acquisition in the resolution adopted by the governing body
8 approving exercise of eminent domain by the agency.

9 (2) In any proceeding to fix or assess compensation
10 for damages for the taking of property, or any interest
11 therein, through the exercise of the power of eminent domain
12 ~~or condemnation~~, evidence or testimony bearing upon the
13 following matters ~~is shall be~~ admissible and shall be
14 considered in fixing such compensation or damages in addition
15 to evidence or testimony otherwise admissible:

16 (a) Any use, condition, occupancy, or operation of
17 such property, which is unlawful or violative of, or subject
18 to elimination, abatement, prohibition, or correction under,
19 any law, ordinance, or regulatory measure of the state,
20 county, municipality, or other political subdivision, or any
21 agency thereof, in which such property is located, as being
22 unsafe, substandard, unsanitary, or otherwise contrary to the
23 public health, safety, morals, or welfare.

24 (b) The effect on the value of such property of any
25 such use, condition, occupancy, or operation or of the
26 elimination, abatement, prohibition, or correction of any such
27 use, condition, occupancy, or operation.

28 Section 16. Subsections (1), (2), (3), and (4) of
29 section 163.380, Florida Statutes, are amended to read:

30 163.380 Disposal of property in community
31 redevelopment area.--

1 (1) Any ~~county, municipality, or~~ community
2 redevelopment agency may sell, lease, dispose of, or otherwise
3 transfer real property or any interest therein acquired by it
4 for community redevelopment in a community redevelopment area
5 to any private person, or may retain such property for public
6 use, and may enter into contracts with respect thereto for
7 ~~residential, recreational, commercial, industrial,~~
8 ~~educational, or other~~ uses, in accordance with the community
9 redevelopment plan, subject to such covenants, conditions, and
10 restrictions, including covenants running with the land, as it
11 deems necessary or desirable to assist in preventing the
12 development continuation, or spread of slum ~~future slums~~ or
13 blighted areas or to otherwise carry out the purposes of this
14 part. However, such sale, lease, other transfer, or retention,
15 and any agreement relating thereto, may be made only after the
16 approval of the community redevelopment plan by the governing
17 body. The purchasers or lessees and their successors and
18 assigns shall be obligated to devote such real property only
19 to the uses specified in the community redevelopment plan and
20 may be obligated to comply with such other requirements as the
21 ~~county, municipality, or~~ community redevelopment agency may
22 determine to be in the public interest, including the
23 obligation to begin any improvements on such real property
24 required by the community redevelopment plan within a
25 reasonable time.

26 (2) Such real property or interest shall be sold,
27 leased, otherwise transferred, or retained at a value
28 determined to be in the public interest for uses in accordance
29 with the community redevelopment plan and in accordance with
30 such reasonable disposal procedures as the ~~any county,~~
31 ~~municipality, or~~ community redevelopment agency may prescribe.

1 | In determining the value of real property as being in the
2 | public interest for uses in accordance with the community
3 | redevelopment plan, the ~~county, municipality, or~~ community
4 | redevelopment agency shall take into account and give
5 | consideration to the long-term benefits to be achieved by the
6 | county, municipality, or community redevelopment agency
7 | resulting from incurring short-term losses or costs in the
8 | disposal of such real property; the uses provided in such
9 | plan; the restrictions upon, and the covenants, conditions,
10 | and obligations assumed by, the purchaser or lessee or by the
11 | ~~county, municipality, or~~ community redevelopment agency
12 | retaining the property; and the objectives of such plan for
13 | the prevention of the recurrence of slum or blighted areas.
14 | ~~In the event the value of such real property being disposed of~~
15 | ~~is for less than the fair value, such disposition shall~~
16 | ~~require the approval of the governing body, which approval may~~
17 | ~~only be given following a duly noticed public hearing.~~ The
18 | ~~county, municipality, or~~ community redevelopment agency may
19 | provide in any instrument of conveyance to a private purchaser
20 | or lessee that such purchaser or lessee is without power to
21 | sell, lease, or otherwise transfer the real property without
22 | the prior written consent of the ~~county, municipality, or~~
23 | community redevelopment agency until the purchaser or lessee
24 | has completed the construction of any or all improvements
25 | which such purchaser or lessee ~~he or she~~ has agreed ~~obligated~~
26 | ~~himself or herself~~ to construct thereon. Real property
27 | acquired by the ~~county, municipality, or~~ community
28 | redevelopment agency which, in accordance with the provisions
29 | of the community redevelopment plan, is to be transferred
30 | shall be transferred as rapidly as feasible in the public
31 | interest, consistent with the carrying out of the provisions

1 of the community redevelopment plan. Any contract for such
2 transfer and the community redevelopment plan, or such part or
3 parts of such contract or plan as the ~~county, municipality, or~~
4 community redevelopment agency may determine, may be recorded
5 in the public land records of the clerk of the circuit court
6 in such manner as to afford actual or constructive notice
7 thereof.

8 (3)(a) Prior to disposition of any real property or
9 interest therein in a community redevelopment area, any
10 ~~county, municipality, or~~ community redevelopment agency shall
11 give public notice of such disposition by publication in a
12 newspaper having a general circulation in the community
13 redevelopment area, at least 30 days prior to the execution of
14 any contract to sell, lease, or otherwise transfer real
15 property and, prior to the delivery of any instrument of
16 conveyance with respect thereto under the provisions of this
17 section, invite proposals from, and make all pertinent
18 information available to, private redevelopers or any persons
19 interested in undertaking to redevelop or rehabilitate the
20 property proposed for disposition ~~a community redevelopment~~
21 ~~area or any part thereof~~. Such notice must ~~shall~~ identify the
22 area or portion thereof and shall state that proposals must be
23 made by those interested within 30 days after the date of
24 publication of the notice and that such further information as
25 is available may be obtained at such office as is designated
26 in the notice. The agency may or may not own the property at
27 the time of publication of the notice required by this
28 subsection. The ~~county, municipality, or~~ community
29 redevelopment agency shall consider all such redevelopment or
30 rehabilitation proposals and the financial and legal ability
31 of the persons making such proposals to carry them out; and

1 | the ~~county, municipality, or~~ community redevelopment agency
2 | may negotiate with any persons for proposals for the purchase,
3 | lease, or other transfer of any real property acquired or to
4 | be acquired by it in the community redevelopment area. The
5 | ~~county, municipality, or~~ community redevelopment agency may
6 | accept such proposal as it deems to be in the public interest
7 | and in furtherance of the purposes of the community
8 | redevelopment plan and this part. The ~~Except in the case of a~~
9 | ~~governing body acting as the agency, as provided in s.~~
10 | ~~163.357, a notification of intention to accept such proposal~~
11 | ~~must be filed with the governing body not less than 30 days~~
12 | ~~prior to any such acceptance. Thereafter, the county,~~
13 | ~~municipality, or~~ community redevelopment agency may execute
14 | such contract in accordance with ~~the provisions of~~ subsection
15 | (1) and deliver deeds, leases, and other instruments and take
16 | all steps necessary to effectuate such contract. The community
17 | redevelopment agency may use a request-for-qualification
18 | process to preselect persons who are eligible to respond to
19 | the 30-day notice required by this subsection.

20 | (b) Any ~~county, municipality, or~~ community
21 | redevelopment agency that, pursuant to ~~the provisions of~~ this
22 | section, has disposed of a real property project with a land
23 | area in excess of 20 acres may acquire an expanded area that
24 | is immediately adjacent to the original project and less than
25 | 35 percent of the land area of the original project, by
26 | purchase or eminent domain as provided in this chapter, and
27 | negotiate a disposition of such expanded area directly with
28 | the person who acquired the original project without complying
29 | with the disposition procedures established in paragraph (a),
30 | provided the ~~county, municipality, or~~ community redevelopment
31 | agency adopts a resolution making the following findings:

1 1. It is in the public interest to expand such real
2 property project to an immediately adjacent area.

3 2. The expanded area is less than 35 percent of the
4 land area of the original project.

5 3. The expanded area is entirely within the boundary
6 of the community redevelopment area.

7 (4) Any ~~county, municipality, or~~ community
8 redevelopment agency may temporarily operate and maintain real
9 property acquired by it in a community redevelopment area for
10 or in connection with a community redevelopment plan pending
11 the disposition of the property as authorized in this part,
12 without regard to ~~the provisions of~~ subsection (1), for such
13 uses and purposes as may be deemed desirable, even though not
14 in conformity with the community redevelopment plan.

15 Section 17. Section 163.387, Florida Statutes, is
16 amended to read:

17 163.387 Redevelopment trust fund.--

18 (1) After approval of a community redevelopment plan,
19 a redevelopment trust fund may ~~there shall~~ be established for
20 each community redevelopment agency created under s. 163.356 ~~a~~
21 ~~redevelopment trust fund~~. Funds allocated to and deposited
22 into this fund shall be used by the agency to finance or
23 refinance any community redevelopment it undertakes pursuant
24 to the approved community redevelopment plan. No community
25 redevelopment agency may receive or spend any increment
26 revenues pursuant to this section unless and until the
27 governing body has, by ordinance, created the trust fund and
28 provided for the funding of the redevelopment trust fund until
29 the time certain set forth in the ~~for the duration of a~~
30 community redevelopment plan pursuant to s. 163.362(10). Such
31 ordinance may be adopted only after the governing body has

1 approved a community redevelopment plan. The annual funding of
2 the redevelopment trust fund shall be in an amount not less
3 than that increment in the income, proceeds, revenues, and
4 funds of each taxing authority derived from or held in
5 connection with the undertaking and carrying out of community
6 redevelopment under this part. Such increment shall be
7 determined annually and shall be that amount equal to 90 ~~95~~
8 percent of the difference between:

9 (a) The amount of ad valorem taxes levied each year by
10 each taxing authority, exclusive of any amount from any debt
11 service millage, on taxable real property contained within the
12 geographic boundaries of a community redevelopment area; and

13 (b) The amount of ad valorem taxes which would have
14 been produced by the rate upon which the tax is levied each
15 year by or for each taxing authority, exclusive of any debt
16 service millage, upon the total of the assessed value of the
17 taxable real property in the community redevelopment area as
18 shown upon the most recent preliminary assessment roll created
19 pursuant to s. 193.114 ~~used in connection with the taxation of~~
20 ~~such property by each taxing authority~~ prior to the effective
21 date of the ordinance providing for the funding of the trust
22 fund.

23
24 However, the governing body of any county as defined in s.
25 125.011(1) may, in the ordinance providing for the funding of
26 a trust fund established with respect to any community
27 redevelopment area created on or after July 1, 1994, determine
28 that the amount to be funded by each taxing authority annually
29 shall be less than 95 percent of the difference between
30 paragraphs (a) and (b), but in no event shall such amount be
31 less than 50 percent of such difference.

1 (2)(a) Except for the purpose of funding the trust
2 fund pursuant to subsection (3), upon the adoption of an
3 ordinance providing for funding of the redevelopment trust
4 fund as provided in this section, each taxing authority shall,
5 by January 1 of each year, appropriate to the trust fund ~~for~~
6 ~~so long as any indebtedness pledging increment revenues to the~~
7 ~~payment thereof is outstanding (but not to exceed 30 years) a~~
8 sum that is no less than the increment as defined and
9 determined in subsection (1) accruing to such taxing
10 authority. If the community redevelopment plan is amended or
11 modified pursuant to s. 163.361(1), each such taxing authority
12 shall make the annual appropriation for a period not to exceed
13 30 years after the date the governing body amends the plan.
14 However, for any agency created on or after July 1, 2002, each
15 taxing authority shall make the annual appropriation for a
16 period not to exceed 40 years after the fiscal year in which
17 the initial community redevelopment plan is approved or
18 adopted.

19 (b) Any taxing authority that does not pay the
20 increment revenues to the trust fund by January 1 shall pay to
21 the trust fund an amount equal to 5 percent of the amount of
22 the increment revenues and shall pay interest on the amount of
23 the unpaid increment revenues equal to 1 percent for each
24 month the increment is outstanding. The agency may waive a
25 payment, or part of a payment, which this section would
26 otherwise require the taxing authority to make.

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

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

31

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

8 3. A library district, except a library district in a
9 jurisdiction where the community redevelopment agency had
10 validated bonds as of April 30, 1984.

11 4. A neighborhood improvement district created under
12 the Safe Neighborhoods Act.

13 5. A metropolitan transportation authority.

14 6. A water management district created under s.
15 373.069.

16 (d)1. ~~The A local governing body that creates a~~
17 community redevelopment agency ~~under s. 163.356~~ may exempt
18 from all or part of the obligation to make an annual payment
19 to the trust fund pursuant to paragraph (a) a special district
20 that levies ad valorem taxes within that community
21 redevelopment area. The agency ~~local governing body~~ may grant
22 any such ~~the~~ exemption ~~either~~ in its sole discretion or in
23 response to the request of the special district. The agency
24 ~~local governing body~~ must establish procedures by which a
25 special district may submit a written request to be exempted
26 from paragraph (a).

27 2. In deciding whether to deny or grant a special
28 district's request for exemption from paragraph (a), the
29 agency ~~local governing body~~ must consider:

1 a. Any additional revenue sources of the community
2 redevelopment agency which could be used in lieu of the
3 special district's tax increment.

4 b. The fiscal and operational impact on the community
5 redevelopment agency.

6 c. The fiscal and operational impact on the special
7 district.

8 d. The benefit to the specific purpose for which the
9 special district was created. The benefit to the special
10 district must be based on specific projects contained in the
11 approved community redevelopment plan for the designated
12 community redevelopment area.

13 e. The impact of the exemption on incurred debt and
14 whether such exemption will impair any outstanding bonds that
15 have pledged tax increment revenues to the repayment of the
16 bonds.

17 f. The benefit of the activities of the special
18 district to the approved community redevelopment plan.

19 g. The benefit of the activities of the special
20 district to the area of operation of the local governing body
21 that created the community redevelopment agency.

22 3. The agency ~~local governing body~~ must hold a public
23 hearing on a special district's request for exemption after
24 public notice of the hearing is published in a newspaper
25 having a general circulation in ~~the county or municipality~~
26 ~~that created~~ the community redevelopment area. The notice
27 must be published at least 10 days before the hearing,
28 describe the time, date, place, and purpose of the hearing,
29 and ~~must~~ identify generally the community redevelopment area
30 covered by the plan and the impact of the plan on the special
31 district that requested the exemption.

1 4. If the agency ~~a local governing body~~ grants an
2 exemption to a special district under this paragraph, the
3 ~~agency local governing body~~ and the special district must
4 enter into an interlocal agreement that establishes the
5 conditions of the exemption, including, but not limited to,
6 the period of time for which the exemption is granted.

7 5. If the agency ~~a local governing body~~ denies a
8 request for exemption by a special district, the ~~agency local~~
9 ~~governing body~~ shall thereafter provide the special district
10 with a written analysis specifying the rationale for such
11 denial. This written analysis must include, but is not
12 limited to, the following information:

13 a. A separate, detailed examination of each
14 consideration listed in subparagraph 2.

15 b. Specific examples of how the approved community
16 redevelopment plan will benefit, and has already benefited,
17 the purpose for which the special district was created.

18 6. The decision to either deny or grant an exemption
19 must be made by the local governing body within 120 days after
20 the date the written request was submitted to the local
21 governing body pursuant to the procedures established by the
22 agency, or within a longer period agreed to by the agency and
23 the special district ~~such local governing body~~.

24 (3) Notwithstanding ~~the provisions of~~ subsection (2),
25 the obligation of the taxing authority ~~governing body which~~
26 ~~established the community redevelopment agency~~ to appropriate
27 increment revenues to fund the redevelopment trust fund
28 annually shall continue until the date when all loans,
29 advances, and indebtedness, if any, and interest thereon, of a
30 community redevelopment agency incurred as a result of
31 redevelopment in a community redevelopment area have been paid

1 or the time certain included in the plan pursuant to s.
2 163.362(10), whichever occurs later.

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

14 (5) Revenue bonds issued under ~~the provisions of this~~
15 part shall not be deemed to constitute a debt, liability, or
16 obligation of the ~~local~~ governing body or the state or any
17 political subdivision thereof, or a pledge of the faith and
18 credit of the ~~local~~ governing body or the state or any
19 political subdivision thereof, but shall be payable solely
20 from the revenues provided therefor. All such revenue bonds
21 shall contain on the face thereof a statement to the effect
22 that the agency shall not be obligated to pay the same or the
23 interest thereon except from the revenues of the community
24 redevelopment agency held for that purpose and that neither
25 the faith and credit nor the taxing power of the ~~local~~
26 governing body or of the state or of any political subdivision
27 thereof is pledged to the payment of the principal of, or the
28 interest on, such bonds.

29 (6) Moneys in the redevelopment trust fund may be
30 expended from time to time for undertakings of a community
31 redevelopment agency as described in the ~~which are directly~~

1 ~~related to financing or refinancing of redevelopment in a~~
2 ~~community redevelopment area pursuant to an approved~~ community
3 redevelopment plan for the following purposes, including, but
4 not limited to:

5 (a) Administrative and overhead expenses necessary or
6 incidental to the implementation of a community redevelopment
7 plan adopted by the agency, including services provided by
8 another public body.

9 (b) Expenses of redevelopment planning, surveys, and
10 financial analysis, including the reimbursement of the
11 governing body or the community redevelopment agency for such
12 expenses incurred before the redevelopment plan was approved
13 and adopted.

14 (c) The acquisition of real property in the
15 redevelopment area.

16 (d) The clearance and preparation of any redevelopment
17 area for redevelopment and relocation of site occupants inside
18 or outside the community redevelopment area as provided in s.
19 163.370.

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

23 (f) All expenses incidental to or connected with the
24 issuance, sale, redemption, retirement, or purchase of ~~agency~~
25 bonds, bond anticipation notes, or other form of indebtedness,
26 including funding of any reserve, redemption, or other fund or
27 account provided for in the ordinance or resolution
28 authorizing such bonds, notes, or other form of indebtedness.

29 (g) The development of affordable housing within the
30 community redevelopment area.

31 (h) The development of community policing innovations.

1 (i) Expenses for promotion, marketing, or events to
2 enhance or promote the community redevelopment area.

3 (j) Any other purpose provided in the plan.

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

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

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

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

18 (d) Appropriated to a specific redevelopment project
19 pursuant to an approved community redevelopment plan for one
20 or more expenditures that must all ~~which project will~~ be made
21 ~~completed~~ within 3 years after ~~from~~ the date of such
22 appropriation.

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

1 pledged and the remaining amount of such indebtedness. The
2 agency shall provide a copy of the report to each taxing
3 authority. The audit required by this subsection may be
4 included as part of or attached to the annual financial
5 statement of the county or municipality that created the
6 agency.

7 Section 18. Section 163.395, Florida Statutes, is
8 amended to read:

9 163.395 Property exempt from taxes and from levy and
10 sale by virtue of an execution.--

11 (1) All property of any ~~county, municipality, or~~
12 community redevelopment agency, including funds, owned or held
13 by it for the purposes of this part are exempt from levy and
14 sale by virtue of an execution; and no execution or other
15 judicial process may issue against the same, nor shall
16 judgment against the ~~county, municipality, or~~ community
17 redevelopment agency be a charge or lien upon such property.
18 However, ~~the provisions of this section~~ does ~~de~~ not apply to
19 or limit the right of obligees to pursue any remedies for the
20 enforcement of any pledge or lien given pursuant to this part
21 by the county or municipality on its rents, fees, grants, or
22 revenues from community redevelopment.

23 (2) The property of the ~~county, municipality, or~~
24 community redevelopment agency acquired or held for the
25 purposes of this part is declared to be public property used
26 for essential public and governmental purposes, and such
27 property is exempt from all taxes of the municipality, the
28 county, any special district, or the state or any political
29 subdivision thereof. However, such tax exemption will
30 terminate when the ~~county, municipality, or~~ community
31 redevelopment agency sells, leases, or otherwise disposes of

1 such property in a community redevelopment area to a purchaser
2 or lessee which is not a public body entitled to tax exemption
3 with respect to such property.

4 Section 19. Subsections (1), (3), and (4) of section
5 163.400, Florida Statutes, are amended to read:

6 163.400 Cooperation by public bodies.--

7 (1) For the purpose of aiding in the planning,
8 undertaking, or carrying out of community redevelopment and
9 related activities authorized by this part, any public body
10 may, upon such terms, with or without consideration, as it may
11 determine:

12 (a) Dedicate, sell, convey, or lease any of its
13 interest in any property or grant easements, licenses, or
14 other rights or privileges therein to a county, ~~or~~
15 municipality, or agency.

16 (b) Incur the entire expense of any public
17 improvements made by such public body in exercising the powers
18 granted in this section.

19 (c) Do any and all things necessary to aid or
20 cooperate in the planning or carrying out of a community
21 redevelopment plan and related activities.

22 (d) Lend, grant, or contribute funds to a county, ~~or~~
23 municipality, or agency; borrow money; and apply for and
24 accept advances, loans, grants, contributions, or any other
25 form of financial assistance from the Federal Government, the
26 state, the county, an agency, another public body, or any
27 other source.

28 (e) Enter into agreements, which may extend over any
29 period, notwithstanding any ~~provision or rule of law to the~~
30 contrary, with the Federal Government, a county, a
31 municipality, an agency, or another public body respecting

1 | action to be taken pursuant to any of the powers granted by
2 | this part, including the furnishing of funds or other
3 | assistance in connection with community redevelopment and
4 | related activities.

5 | (f) Cause public buildings and public facilities,
6 | including parks, playgrounds, recreational, community,
7 | educational, water, sewer, or drainage facilities, or any
8 | other works which it is otherwise empowered to undertake to be
9 | furnished; furnish, dedicate, close, vacate, pave, install,
10 | grade, regrade, plan, or replan streets, roads, sidewalks,
11 | ways, or other places; plan or replan or zone or rezone any
12 | part of the public body or make exceptions from building
13 | regulations; and cause administrative and other services to be
14 | furnished to the county, ~~or~~ municipality, or agency.

15 |
16 | If at any time title to or possession of any property in a
17 | community redevelopment area is held by any public body or
18 | governmental agency, other than the county, ~~or~~ municipality,
19 | or agency, but including any agency or instrumentality of the
20 | United States, which is authorized by law to engage in the
21 | undertaking, carrying out, or administration of community
22 | redevelopment and related activities, the ~~provisions of the~~
23 | agreements referred to in this section shall inure to the
24 | benefit of and may be enforced by such public body or
25 | governmental agency. ~~As used in this subsection, the term~~
26 | ~~"county or municipality" also includes a community~~
27 | ~~redevelopment agency.~~

28 | (3) For the purpose of aiding in the planning,
29 | undertaking, or carrying out of any community redevelopment
30 | and related activities of a community redevelopment agency or
31 | a housing authority hereunder, any public body ~~county or~~

1 ~~municipality~~ may, in addition to its other powers and upon
2 such terms, with or without consideration, as it determines,
3 do and perform any or all of the actions or things which, by
4 the provisions of subsection (1), a public body is authorized
5 to do or perform, including the furnishing of financial and
6 other assistance.

7 (4) For the purposes of this section, or for the
8 purpose of aiding in the planning, undertaking, or carrying
9 out of community redevelopment and related activities of a
10 county, ~~or municipality, or agency, any~~ such county or
11 municipality may, in addition to any authority to issue bonds
12 pursuant to s. 163.385, issue and sell its general obligation
13 bonds. Any bonds issued by the county or municipality pursuant
14 to this subsection ~~section~~ shall be issued in the manner and
15 within the limitations prescribed by the applicable laws of
16 this state for the issuance and authorization of general
17 obligation bonds by such county or municipality. Nothing in
18 this section shall limit or otherwise adversely affect any
19 other section of this part.

20 Section 20. Section 163.410, Florida Statutes, is
21 amended to read:

22 163.410 Exercise of powers in counties described in s.
23 125.011(1) ~~with home rule charters.~~--In any county described
24 in s. 125.011(1) which has adopted a ~~home rule~~ charter, the
25 powers conferred by this part shall be exercised exclusively
26 by the governing body of such county. However, the governing
27 body of any such county ~~which has adopted a home rule charter~~
28 may, in its discretion, by resolution delegate the exercise of
29 the powers conferred upon the county by this part within the
30 boundaries of a municipality to the governing body of such a
31 municipality. ~~Such a delegation to a municipality shall confer~~

1 ~~only such powers upon a municipality as shall be specifically~~
2 ~~enumerated in the delegating resolution. Any power not~~
3 ~~specifically delegated shall be reserved exclusively to the~~
4 ~~governing body of the county.~~ This section does not affect or
5 apply to any community redevelopment agency created by a
6 municipality prior to the adoption of a county home rule
7 charter or to the municipality that created the agency. Unless
8 otherwise provided by an existing ordinance, resolution, or
9 interlocal agreement between any such county and a
10 municipality, the governing body of the county that has
11 adopted a home rule charter shall act on any request from a
12 municipality for a delegation of powers or a change in an
13 existing delegation of powers within 120 days after the
14 receipt of all required documentation or such request shall be
15 immediately sent to the governing body of the county for
16 consideration.

17 Section 21. Section 163.415, Florida Statutes, is
18 amended to read:

19 163.415 Exercise of powers by in counties within
20 municipalities ~~without home rule charters.~~--The powers
21 conferred by this part upon counties ~~not having adopted a home~~
22 ~~rule charter~~ shall not be exercised within the boundaries of a
23 municipality within said county unless the governing body of
24 the municipality expresses its consent by resolution. Such a
25 resolution consenting to the exercise of the powers conferred
26 upon counties by this part shall specifically enumerate the
27 powers to be exercised by the county within the boundaries of
28 the municipality. Any power not specifically enumerated in
29 such a resolution of consent shall be exercised exclusively by
30 the municipality within its boundaries.

31

1 Section 22. This act shall take effect October 1,
2 2006.

3
4 *****

5 SENATE SUMMARY

6 Extensively revises various provisions of the Community
7 Redevelopment Act of 1969, including provisions governing
8 the creation of a community redevelopment agency by a
9 county or a municipality; the operation, duties, and
10 funding of a redevelopment agency; the powers and duties
11 of a county, municipality, or redevelopment agency
12 concerning community redevelopment; the adoption or
13 modification, contents, and implementation of a community
14 redevelopment plan, the disposition or use of property
15 acquired for community redevelopment; the establishment
16 of a redevelopment trust fund and the annual contribution
17 of tax increment revenues to such a fund; the use and
18 auditing of tax increment revenues; the exemption for the
19 property of a county or municipality from levy or sale
20 pursuant to certain claims; for property acquired or held
21 by a county, municipality, or special district for
22 community redevelopment purposes, exemption from taxation
23 by the county or municipality; the purposes for which a
24 county or municipality may issue a general obligation
25 bond; the prerequisites to the exercise of powers by a
26 county or a redevelopment agency created by a county
27 within a municipality; and the delegation of powers to a
28 municipality by certain charter counties. (See bill for
29 details.)
30
31