

1                           A bill to be entitled  
 2       An act relating to municipalities; creating s. 163.3172,  
 3       F.S.; providing legislative findings; prohibiting effect  
 4       or application of certain county provisions within  
 5       municipalities unless approved by county and municipal  
 6       electors or the municipal governing board; providing for  
 7       readoption of certain county provisions under certain  
 8       circumstances; providing for nonapplication to certain  
 9       counties; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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

15       163.3172 Municipalities; county authority limitations.--

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

26       (2) Notwithstanding this chapter, chapter 125, and s.  
 27 171.044(4), any existing or future charter county charter  
 28 provision, ordinance, land development regulation, or countywide

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29 special act that governs the use, development, or redevelopment  
30 of land is not effective within and does not apply to any  
31 municipality in the county and a charter county charter  
32 provision, ordinance, land development regulation, or countywide  
33 special act may not provide an exclusive method of municipal  
34 annexation unless the provision, ordinance, regulation, or  
35 special act is approved by a majority vote of the electors  
36 within the county and a majority vote of the electors within the  
37 municipality at a duly held municipal election or is approved by  
38 a majority vote of the municipality's governing board. Existing  
39 charter county charter provisions and countywide special acts  
40 that have been approved by referendum prior to the effective  
41 date of this act must be readopted in accordance with this  
42 section. This section shall not apply to any county as defined  
43 in s. 125.011.

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