

Bill No. SB 2700

Barcode 541314

CHAMBER ACTION

Senate

House

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

Senate Amendment (with title amendment)

On page 11, line 17, through
page 14, line 2, delete those lines

and insert: to that subsection, and subsection (2) and
paragraphs (a) and (b) of subsection (4) of that section are
amended, to read:

190.012 Special powers; public improvements and
community facilities.--The district shall have, and the board
may exercise, subject to the regulatory jurisdiction and
permitting authority of all applicable governmental bodies,
agencies, and special districts having authority with respect
to any area included therein, any or all of the following
special powers relating to public improvements and community
facilities authorized by this act:

(1) To finance, fund, plan, establish, acquire,
construct or reconstruct, enlarge or extend, equip, operate,
and maintain systems, facilities, and basic infrastructures

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1 for the following:

2 (d)1. District roads equal to or exceeding the
3 applicable specifications of the county in which such district
4 roads are located, roads and improvements to existing roads
5 onsite or offsite which are owned by or are to be conveyed to
6 the local general-purpose government, the state, or the
7 Federal Government; and street lights; landscaping; and
8 hardscaping. Districts may provide for underground placement
9 of utility lines to be conveyed to the retail electric utility
10 provider within the district.

11 2. Buses, trolleys, transit shelters, ridesharing
12 facilities and services, parking improvements, and related
13 signage.

14 (h) Any other project, facility, or service, within or
15 without the boundaries of a district, required by a
16 development approval, interlocal agreement, zoning condition,
17 or permit for land within a district which was issued by a
18 governmental authority having jurisdiction.

19 (2) After the ~~board has obtained the consent of the~~
20 local general-purpose government within the jurisdiction of
21 which a power specified in this subsection is to be exercised
22 consents to the exercise of such power by the district, the
23 district shall have the power to plan, establish, acquire,
24 construct or reconstruct, enlarge or extend, equip, operate,
25 and maintain additional systems and facilities for:

26 (a) Parks and facilities for indoor and outdoor
27 recreational, cultural, and educational uses.

28 (b) Fire prevention and control, including fire
29 stations, water mains and plugs, fire trucks, and other
30 vehicles and equipment.

31 (c) School buildings and related structures, which may

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1 be leased, sold, or donated to the school district, for use in
2 the educational system when authorized by the district school
3 board.

4 (d) Security, including, but not limited to,
5 guardhouses, fences and gates, electronic intrusion-detection
6 systems, and patrol cars, when authorized by proper
7 governmental agencies; except that the district may not
8 exercise any police power, but may contract with the
9 appropriate local general-purpose government agencies for an
10 increased level of such services within the district
11 boundaries.

12 (e) Control and elimination of mosquitoes and other
13 arthropods of public health importance.

14 (f) Waste collection and disposal.

15 (4)(a) To adopt rules necessary for the district to
16 enforce certain deed restrictions pertaining to the use and
17 operation of real property within the district and outside the
18 district if pursuant to an interlocal agreement under chapter
19 163. For the purpose of this subsection, "deed restrictions"
20 are those covenants, conditions, and restrictions contained in
21 any applicable declarations of covenants and restrictions that
22 govern the use and operation of real property within the
23 district and, for which covenants, conditions, and
24 restrictions, there is no homeowners' association or property
25 owner's association having respective enforcement powers. The
26 district may adopt by rule all or certain portions of the deed
27 restrictions that:

28 1. Relate to limitations or prohibitions that apply
29 only to external structures and are deemed by the district to
30 be generally beneficial for the district's landowners and for
31 which enforcement by the district is appropriate, as

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1 determined by the district's board of supervisors; or

2 2. Are consistent with the requirements of a
3 development order or regulatory agency permit.

4 (b) The board may vote to adopt such rules only when
5 all of the following conditions exist:

6 1. The district's geographic area contains no
7 homeowners' associations as defined in s. 720.301(9);

8 2. The district was in existence on the effective date
9 of this subsection, or is located within a development that
10 consists of multiple developments of regional impact and a
11 Florida Quality Development;

12 3. For residential districts, the majority of the
13 board has been elected by qualified electors pursuant to the
14 provisions of s. 190.006; and

15 4. The declarant in any applicable declarations of
16 covenants and restrictions has provided the board with a
17 written agreement that such rules may be adopted. A memorandum
18 of the agreement shall be recorded in the public records.

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

22 And the title is amended as follows:

23 On page 2, line 2, following the semicolon

24

25 insert:

26 revising conditions for adoption of rules;

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