

CS/HB 425

2007

1 A bill to be entitled  
2 An act relating to municipal annexation; amending s.  
3 171.0413, F.S.; excluding state-owned lands when  
4 determining certain required thresholds for land ownership  
5 and landowners' consent to annexation; providing an  
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:  
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10 Section 1. Subsections (5) and (6) of section 171.0413,  
11 Florida Statutes, are amended to read:

12 171.0413 Annexation procedures.--Any municipality may  
13 annex contiguous, compact, unincorporated territory in the  
14 following manner:

15 (5) If more than 70 percent of the land in an area  
16 proposed to be annexed is owned by individuals, corporations, or  
17 legal entities which are not registered electors of such area,  
18 such area shall not be annexed unless the owners of more than 50  
19 percent of the land in such area consent to such annexation.

20 Such consent shall be obtained by the parties proposing the  
21 annexation prior to the referendum to be held on the annexation.  
22 In a county that has a population greater than 500,000, that  
23 contains more than 20 municipalities, and that contains at least  
24 one municipality having a population greater than 250,000,  
25 state-owned lands may not be included for purposes of  
26 determining whether:

27 (a) More than 70 percent of the property to be annexed is  
28 not owned by registered electors; and

29           (b) The owners of more than 50 percent of the land in the  
30 area proposed to be annexed consent to annexation.

31           (6) Notwithstanding subsections (1) and (2), if the area  
32 proposed to be annexed does not have any registered electors on  
33 the date the ordinance is finally adopted, a vote of electors of  
34 the area proposed to be annexed is not required. In addition to  
35 the requirements of subsection (5), the area may not be annexed  
36 unless the owners of more than 50 percent of the parcels of land  
37 in the area proposed to be annexed consent to the annexation. If  
38 the governing body does not choose to hold a referendum of the  
39 annexing municipality pursuant to subsection (2), then the  
40 property owner consents required pursuant to subsection (5)  
41 shall be obtained by the parties proposing the annexation prior  
42 to the final adoption of the ordinance, and the annexation  
43 ordinance shall be effective upon becoming a law or as otherwise  
44 provided in the ordinance. The consent requirements in this  
45 subsection do not include consent with respect to state-owned  
46 land in a county that has a population greater than 500,000,  
47 that contains more than 20 municipalities, and that contains at  
48 least one municipality having a population greater than 250,000.

49           Section 2. This act shall take effect July 1, 2007.