

ENROLLED
CS/CS/CS/HB 1147

2009 Legislature

1 A bill to be entitled
2 An act relating to the Spring Hill Fire Rescue and
3 Emergency Medical Services District, Hernando County;
4 creating a special district; providing definitions;
5 providing for creation, status, charter amendments,
6 boundaries, and purposes; providing for a board of
7 commissioners; providing for election and terms of
8 commissioners; providing for employment of district
9 personnel; providing for election of board officers;
10 providing for compensation, oath, and bonds of
11 commissioners; providing for powers, duties, and
12 responsibilities of the board; providing for ad valorem
13 taxes; providing a cap on the rate of taxation; providing
14 for user charges; providing for impact fees; providing for
15 authority to disburse funds; authorizing the board to
16 borrow money; providing for use of district funds;
17 requiring a record of all board meetings; authorizing the
18 board to adopt policies and regulations; providing for the
19 board to make an annual budget; requiring an annual
20 report; authorizing the board to enact fire prevention
21 ordinances; authorizing the district to appoint a fire
22 marshal; authorizing the district to conduct inspections
23 and establish and operate fire, rescue, and emergency
24 medical services; providing for district authority upon
25 annexation of district lands; providing for dissolution;
26 providing immunity from tort liability for officers,
27 agents, and employees; providing for district expansion;
28 providing for construction and effect; providing for an

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 exclusive charter; requiring a referendum; providing an
30 effective date.

31

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

33

34 Section 1. Definitions.--As used in this act, unless
35 otherwise specified:

36 (1) "Board" means the board of fire commissioners created
37 pursuant to this act and chapter 191, Florida Statutes.

38 (2) "Fire commissioner" means a member of the Board of
39 Fire Commissioners of the Spring Hill Fire Rescue and Emergency
40 Medical Services District.

41 (3) "District" means the Spring Hill Fire Rescue and
42 Emergency Medical Services District.

43 (4) "Residence" means one single-family dwelling,
44 including one single-apartment dwelling unit; one single-
45 condominium dwelling unit; one single duplex, triplex, or other
46 attached dwelling unit; one single-family detached dwelling
47 unit; or one single mobile or modular home dwelling unit.

48 (5) "Business" means motels, apartments, or rental
49 dwelling, along with other standard commercial or industrial
50 businesses such as gasoline stations, stores, marinas, and
51 similar establishments, as authorized pursuant to the applicable
52 local government comprehensive plan, whether or not such
53 businesses are required to pay or collect sales taxes.

54 Section 2. Creation; status; charter amendments;
55 boundaries; district purposes.--

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56 (1) There is hereby created an independent special fire
 57 control district incorporating lands in Hernando County
 58 described in subsection (2), which shall be a public corporation
 59 having the powers, duties, obligations, and immunities herein
 60 set forth under the name of the Spring Hill Fire Rescue and
 61 Emergency Medical Services District. The district is organized
 62 and exists for all purposes and shall hold all powers set forth
 63 in this act and chapters 189 and 191, Florida Statutes.

64 (2) The lands to be included within the district are the
 65 following described lands of Spring Hill, in Hernando County, to
 66 wit:

67 For a Point of Beginning (P.O.B.), commence at the
 68 intersection of the East Section line of Section 34,
 69 Township 23, Range 18 East projected South and the
 70 Centerline of the Right-of-Way of County Line Road.

71
 72 Thence; Go Northerly along the aforementioned East
 73 Section line of Section 34, Township 23, Range 18
 74 East, Section 27, Township 23, Range 18 East.

75
 76 Thence; East along the North Section line of Section
 77 26, Township 23, Range 18 East, terminating at the
 78 North East comer of the West V2 of Section 26,
 79 Township 23, Range 18 East.

80
 81 Thence; Northerly along the East Section line of the
 82 West 1/2 of Section 23, Township 23, Range 18 East

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83 terminating at the intersection of that line and the
84 centerline of the Right-of-Way of Spring Hill Drive.

85
86 Thence; Easterly along the centerline of the Right-of-
87 Way of Spring Hill Drive to a point of intersection
88 constructed by extending the East boundary of Candy
89 Road, in a Southerly direction.

90
91 Thence; Northerly along the Eastern boundary of Candy
92 Lane to the limits of the plat of Quail Meadows, Phase
93 I.

94
95 Thence; Southwesterly along the rear property lines of
96 Lots 13-22 inclusive of Quail Meadows, Phase I, to the
97 Northern boundary of Atwater Drive.

98
99 Thence; Westerly along said Northern boundary of
100 Atwater Drive to the limits of the plat of Quail
101 Meadows, Phase I, said point being the West Section
102 line of Section 13, Township 23 South, Range 18 East.

103
104 Thence; Northerly along said West Section line to the
105 North.

106
107 Thence; Northerly along the aforementioned West
108 Section line to a point of intersection with the
109 centerline of Powell Road and said Section line.

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111 Thence; Westerly along Powell Rd. to a point of
112 intersection with the East line of the West 1/2 of
113 Section 10, Township 23 South, Range 18 East.

114
115 Thence; Northerly along aforementioned Section line
116 commencing at the North line of said Section 10,
117 Township 23 South, Range 18 East.

118
119 Thence; Westerly along the North Section line of
120 Section 10, Township 23 South, Range 18 East
121 continuing Westerly along the South Section line of
122 Section 4, Township 23 South, Range 18 East;
123 terminating at a point, constructed by the
124 intersection of said Section line and the East
125 Boundary line of Spring Hill Unit 18-2; Plat Book 17,
126 Page 30, sheet 2 of 6 as recorded in the Public
127 Records of Hernando County;

128
129 Thence; Northerly-along the East Boundary line of the
130 aforementioned Plat Book 17, Page 30;

131
132 Thence; Northerly along the East Boundary line of Plat
133 Book #17, Page 69 as recorded in Hernando County
134 Public Record. (To PB9-65-80)

135
136 Thence: Northerly along the East Boundary line as
137 shown in Plat Book 9, Page 69, Spring Hill Unit 20.

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139 Thence; Easterly along the South Boundary line as
140 shown in Plat Book 9, Sheet 9, of Spring Hill Unit 20.

141
142 Thence; Run Northerly along the West Right-of-Way line
143 of the Florida Power Corporation Easement as shown on
144 Sheet 9, Sheet 10, and Sheet 12, Plat Book 9; Spring
145 Hill Unit 20, as recorded in Hernando County Public
146 Records.

147
148 Thence; Run $89^{\circ}38'00''$ W, a distance of 377.25 feet
149 from the North East corner of the Platted Boundary as
150 recorded in Plat Book 9, Page 76.

151
152 Thence; $N00^{\circ}07'10''$ W, a distance of 944.51 feet,

153
154 Thence; $N89^{\circ}44'10''$ W, a distance of 1,324.27 feet

155
156 Thence; $N00^{\circ}06'12''$ E; 942.14 feet along the East line
157 of the West 1/2 of Section 33, Township 22 South,
158 Range 18 East.

159
160 Thence; $N00^{\circ}05'42''$ W, 1,848.49 feet to the South Right-
161 of-Way line of State Road #50.

162
163 Thence; Westerly along the South Right-of-Way line of
164 State Road #50; $89^{\circ}31'17''$ W a distance of 1,322.86
165 feet.

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167 Thence; S00°02'58"E, a distance of 916.82 feet;
 168 \$89°50'34"W, a distance of 1,323.56 feet; S00°00'12"E,
 169 a distance of 909.40 feet to the Centerline of the
 170 Florida Power Corp. Right-of-way.

171
 172 Thence; Westerly along the South centerline of a
 173 Florida Power Right-of-Way line as described in O.R.
 174 Book #713, Pages 20 & 22. (Attached)

175
 176 Thence; Northerly along the West Boundary line of
 177 aforementioned O.R. Book #713, to the South Right-of-
 178 Way line of State Road #50.

179
 180 Thence; Approximately 1,015.00 feet, Westerly along
 181 the South Right-of-Way line of State Road #50.

182
 183 Thence; South approximately 750.00 feet.

184
 185 Thence; West approximately 2,500.00 feet.

186
 187 Thence; North approximately 750 feet to the South
 188 Right-of-Way line of State Road #50.

189
 190 Thence; In a Westerly direction follow the South
 191 Right-of-Way line of State Road #50 to the
 192 intersection of said line and the East Section line of
 193 Section 2, Township 23 South, Range 17 East.

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195 Thence; Run Southerly along the aforementioned East
 196 Section line to the North Boundary line of Spring Hill
 197 Unit 22, Replat, Block 1484, Plat Book 12, Page 81, as
 198 recorded in Hernando County Public Records.

199
 200 Thence; Westerly along the aforementioned Boundary
 201 line to the East Right-of-Way line of U.S. 19.

202
 203 Thence; Southerly along the East Right of Way line of
 204 U.S. 19, to the Centerline of the Right-of-Way of
 205 Northcliffe Boulevard.

206
 207 Thence; Southerly along the centerline of the Right-
 208 of-Way of Northcliffe Boulevard to the West Boundary
 209 line of Spring Hill Unit #26.

210
 211 Thence; Southerly along the West Boundary line of
 212 Spring Hill Unit #26, commencing at the South Section
 213 line of Section 10, Township 23 South, Range 117 East.

214
 215 Thence; West along the aforementioned South Section
 216 line, Westerly to the centerline of the Right-of-Way
 217 of U.S. 19.

218
 219 Thence; South along the centerline of the Right-of-Way
 220 of U.S. 19 to a point, constructed by extending the
 221 Centerline of Greenleaf Way and the aforementioned
 222 centerline of Right-of-Way of U.S. 19.

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223
 224 Thence; Westerly from said point to the West Boundary
 225 line of Weeki Wachee Woodlands Unit 2, Plat Book #7,
 226 Page 10.
 227
 228 Thence; Southerly along the said West Boundary line to
 229 the North Boundary line of Weeki Wachee Acres Unit 2,
 230 Plat Book 6; Page 46;
 231
 232 Thence; Westerly along aforementioned North Boundary
 233 line;
 234
 235 Thence; Southerly along the West Boundary line of
 236 aforementioned Weeki Wachee Acres Unit 2;
 237
 238 Thence; 240.00 feet East, to the centerline of the
 239 Right-of-Way of U.S. 19.
 240
 241 Thence; South along the centerline of the Right-of-Way
 242 of U.S. 19 to the Intersection of said Right-of-Way
 243 and Trenton Avenue.
 244
 245 Thence; Southerly along Trenton Avenue to a point on
 246 the South Section line of Section 20, Township 23
 247 South, Range 17 East;
 248
 249 Thence; Westerly along said Section line to the
 250 centerline of the Right-of-Way of U.S. 19.

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251
252 Thence; South along the centerline of the Right-of-Way
253 of U.S. 19, to a point of Intersection with the North
254 Boundary line of South Hernando U.S. 19, Commerce
255 Center; Plat Book #17, Pages 11 through 15.

256
257 Thence; West from the aforementioned point; to the
258 West Boundary line of South Hernando U.S. 19, Commerce
259 Center.

260
261 Thence; Southerly along the West Boundary line, to the
262 S.W. corner of aforementioned Plat;

263
264 Thence: Easterly to the centerline of the Right-of-Way
265 of U.S. 19.

266
267 Thence; South along the centerline of the Right-of-Way
268 of U.S. 19, to a point of intersection with the North
269 Boundary of South Hernando U.S. 19 Commerce Center
270 Plat Book #17, Pages 11 thru 16.

271
272 Thence; Westerly from said point, along the North
273 Boundary line.

274
275 Thence; Southerly along the West Boundary line of the
276 aforementioned Plat;

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278 Thence; Easterly along the South Boundary line of said
279 Plat terminating at the centerline of the Right-of-Way
280 of U.S. #19.

281
282 Thence; Southerly along the centerline of the Right-
283 of-Way of U.S. 19 terminating at the Intersection of
284 said Right-of-Way and the centerline of the Right-of-
285 Way of County Line Road.

286
287 Thence; Easterly from aforementioned said point along
288 the centerline of the Right-of-Way of County Line
289 Road.

290
291 Thence; Easterly, from the aforementioned terminus,
292 along the centerline of the Right-of-Way of County
293 Line Road, to a point of Intersection of the West
294 Boundary line of Arkays Park Subdivision.

295
296 Thence; Northerly along the aforementioned West
297 Boundary line.

298
299 Thence; Easterly along the aforementioned North
300 Boundary line,

301
302 Thence; Southerly along the East Boundary line of the
303 aforementioned Plat terminating at the intersection of
304 that line and the centerline of the Right-of-Way of
305 County Line Road.

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306
307 Thence; Easterly, from that terminus point, along the
308 centerline of the Right-of-Way of County Line Road and
309 returning to the Point of Beginning. P.O.B.

310
311 LESS:

312
313 West 11.5A of Northwest 1/4 of Northwest 1/4 Section
314 4, Township 23, Range 8

315
316 Southwest 1/4 of Southwest 1/4 less North 292 feet of
317 East 825 feet, Section29, Township 23, Range 17

318
319 5 acres in Northwest 1/4 of Northeast 1/4 of Section
320 32, Township 23, Range17

321
322 (3) The Spring Hill Fire Rescue and Emergency Medical
323 Services District is organized and exists for all purposes set
324 forth in this act and chapter 191, Florida Statutes, including,
325 but not limited to, providing fire protection and firefighting
326 services, rescue services, and emergency medical services. Such
327 emergency medical services shall not be the primary function of
328 the district. The district shall have all other powers necessary
329 to carry out these purposes, including the authority to contract
330 with the Spring Hill Fire Rescue District, which currently
331 provides fire, rescue, and emergency medical services within the
332 district boundaries; to purchase all necessary real and personal
333 property; to purchase and carry standard insurance policies on

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334 all such equipment; to employ such personnel as may be necessary
 335 to carry out the purpose of said fire district; to provide
 336 adequate insurance for said employees; to purchase and carry
 337 appropriate insurance for the protection of all firefighters and
 338 personnel as well as all equipment and personal property on loan
 339 to the district; to sell surplus real and personal property in
 340 the same manner and subject to the same restrictions as provided
 341 for such sales by counties; and to enter into contracts with
 342 qualified service providers to carry out the purposes of the
 343 district.

344 (4) Nothing herein shall prevent the district from
 345 cooperating with the state or other local governments to render
 346 such services to communities adjacent to the land described in
 347 this section as evidenced by an executed agreement between the
 348 cooperating agencies as approved by the board.

349 (5) The district charter may be amended only by special
 350 act of the Legislature.

351 Section 3. Board of fire commissioners.--

352 (1) Pursuant to chapter 191, Florida Statutes, the
 353 business and affairs of the district shall be governed and
 354 administered by a board of five fire commissioners, who shall be
 355 qualified electors residing within the district and shall be
 356 elected by the qualified electors residing within the district,
 357 subject to the provisions of chapters 189 and 191, Florida
 358 Statutes, and this act. Each commissioner shall hold office
 359 until his or her successor is elected and qualified under the
 360 provisions of this act. The procedures for conducting district
 361 elections and for qualification of candidates and electors shall

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362 be pursuant to chapters 189 and 191, Florida Statutes. The
363 members of the board shall serve on a nonpartisan basis.

364 (2) The five fire commissioners shall hold their
365 respective seats on the Board of Fire Commissioners of the
366 Spring Hill Fire Rescue and Emergency Medical Services District
367 for terms of 4 years each and shall be elected by a majority
368 vote of the qualified electors of the district voting at a
369 general election; provided, however, that the persons who are
370 the members of the policymaking and governing body of the Spring
371 Hill Fire Rescue and Emergency Services District of Hernando
372 County on the date this act becomes law shall be the initial
373 fire commissioners and shall serve as fire commissioners for
374 terms equal to the remainder of their terms on the policymaking
375 and governing body of the Spring Hill Fire Rescue and Emergency
376 Services District of Hernando County or until their successors
377 are elected and qualified, whichever occurs first. Any
378 commissioner may be a candidate to succeed himself or herself.

379 (3) Vacancies in office shall be filled by election, said
380 election to be held coincidental with the next countywide
381 general election to fill the remaining term of the seat vacated.
382 The board of fire commissioners may appoint a qualified elector
383 of the district to act as fire commissioner until the vacancy is
384 filled by election. A fire commissioner may be removed from
385 office as provided by chapter 191, Florida Statutes, or for any
386 reason that a state or county officer may be removed.

387 (4) All elections shall be noticed, called, and held
388 pursuant to the provisions of the general laws of the state. The
389 board shall, to the extent possible, coordinate all elections

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390 with countywide general or special elections in order to
391 minimize cost. Elections shall be called through the adoption of
392 an appropriate resolution of the district directed to the Board
393 of County Commissioners of Hernando County, the Supervisor of
394 Elections of Hernando County, and other appropriate officers of
395 the county. The district shall reimburse county government for
396 the actual cost of district elections. No fire commissioner
397 shall be a paid employee of the district while holding said
398 position.

399 (5) The board may employ such personnel as deemed
400 necessary for the proper function and operation of the district.

401 (6) The salaries of district personnel and any other wages
402 shall be determined by the board.

403 Section 4. Officers; board compensation; bond.--

404 (1) In accordance with chapter 191, Florida Statutes, each
405 elected member of the board shall assume office 10 days after
406 the member's election. Within 60 days after election of new
407 members of said board as herein provided, the newly elected
408 members shall organize by electing from their number a chair,
409 vice chair, secretary, and treasurer. However, the same member
410 may be both secretary and treasurer, in accordance with chapter
411 191, Florida Statutes.

412 (2) Three members of the board shall constitute a quorum.
413 A quorum shall be necessary for the transaction of business.

414 (3) The fire commissioners may receive reimbursement for
415 actual expenses incurred while performing the duties of their
416 offices in accordance with general law governing per diem for
417 public officials. Each fire commissioner may receive from the

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418 funds of the district compensation for his or her services in
419 accordance with chapter 191, Florida Statutes.

420 (4) Each fire commissioner upon taking office shall take
421 and subscribe to the oath of office prescribed by s. 5(b), Art.
422 II of the State Constitution and general law. Upon taking office
423 and in accordance with chapters 189 and 191, Florida Statutes,
424 each fire commissioner shall execute to the Governor, for the
425 benefit of the district, a bond of \$5,000 with a qualified
426 personal or corporate surety, conditioned upon the faithful
427 performance of the duties of the fire commissioner's office and
428 upon an accounting for all funds that come into his or her hands
429 as fire commissioner. The premium for such bonds shall be paid
430 from district funds.

431 Section 5. Powers; duties; responsibilities.--

432 (1) The district shall have and the board may exercise by
433 majority vote all of the powers and comply with the duties set
434 forth in this act and chapters 189, 191, and 197, Florida
435 Statutes, including, but not limited to, ad valorem taxation,
436 special assessments, bond issuance, and other revenue
437 capabilities; budget preparation and approval; liens and
438 foreclosure of liens; use of tax deeds and tax certificates as
439 appropriate from non-ad valorem assessments; contractual
440 agreements; and the adoption of ordinances and resolutions that
441 are necessary to conduct district business if such ordinances do
442 not conflict with any ordinance of a local general-purpose
443 government within whose jurisdiction the district is located.

444 (2) The board shall have the right, power, and authority
445 to levy annually ad valorem taxes against the taxable property

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446 within the district to provide funds for the purposes of the
447 district in an amount not to exceed the limit provided in
448 chapter 191, Florida Statutes.

449 (3) The methods for assessing and collecting ad valorem
450 taxes, special assessment fees, services charges, impact fees,
451 or user charges shall be as set forth in this act and chapter
452 170, chapter 189, chapter 191, chapter 197, or chapter 200,
453 Florida Statutes.

454 (4) The district shall levy and collect special
455 assessments in accordance with chapter 200, Florida Statutes.

456 (5) The district's planning requirements shall be as set
457 forth in this act and chapters 189 and 191, Florida Statutes.

458 (6) Requirements for financial disclosure, meeting
459 notices, reporting, public records maintenance, and per diem
460 expenses for officers and employees shall be as set forth in
461 this act and chapters 112, 119, 189, 191, and 286, Florida
462 Statutes.

463 Section 6. Ad valorem taxes.--

464 (1) The board shall have the authority to levy ad valorem
465 taxes annually against all taxable property within the district
466 to provide funds for the purposes of the district only upon the
467 approval by a majority vote of those qualified electors of the
468 district voting in a referendum election authorizing the use of
469 ad valorem taxation not to exceed 2.5 mills.

470 (2) A referendum election of the electors of the district
471 to authorize the use of ad valorem taxation not to exceed 2.5
472 mills shall be held by the supervisor of elections at the next
473 available general election immediately after the adoption of

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474 this act in accordance with the provisions of general law
475 relating to elections.

476 (3) Upon the approval of a majority of the electors voting
477 at the initial election or at an election called by the board,
478 the rate of taxation shall thereafter be fixed annually by
479 resolution of the board without further approval by the
480 electors, provided the rate of taxation shall not exceed 2.5
481 mills. The board shall have the authority to increase the
482 millage rate above 2.5 mills only if a majority of the electors
483 voting in a referendum election approve the increased millage
484 rate in an amount not to exceed the limit provided in chapter
485 191, Florida Statutes.

486 (4) The levy and collection of ad valorem taxes shall
487 proceed pursuant to general law.

488 Section 7. User charges.--The board shall have the
489 authority to provide a reasonable schedule of charges for
490 providing the following services:

491 (1) Special emergency services, including firefighting
492 occurring in or to structures outside the district, motor
493 vehicles, marine vessels, or aircraft or as a result of the
494 operation of such motor vessels or marine vessels to which the
495 district is called to render such emergency service.

496 (2) Fighting fires occurring in or at refuse dumps or as a
497 result of an illegal burn, which fire, dump, or burn is not
498 authorized by general or special law, rule, regulation, order,
499 or ordinance and which the district is called upon to fight or
500 extinguish.

501 (3) Responding to or assisting or mitigating emergencies

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502 that either threaten or could threaten the health and safety of
503 persons, property, or the environment to which the district has
504 been called, including charges for responding to false alarms.

505 (4) Inspecting structures, plans, and equipment to
506 determine compliance with fire safety codes.

507 Section 8. Impact fees.--

508 (1) Pursuant to section 191.009(4), Florida Statutes, it
509 is hereby declared that the cost of new facilities should be
510 borne by new users of the district's services to the extent new
511 construction requires new facilities, but only to that extent.

512 It is the legislative intent of this section to transfer to the
513 new users of the district's fire protection and emergency
514 services a fair share of the costs that new users impose on the
515 district for new facilities. This shall only apply in the event
516 that the general-purpose local government in which the district
517 is located has not adopted an impact fee for fire services that
518 is distributed to the district for construction within its
519 jurisdictional boundaries.

520 (2) The impact fees collected by the district pursuant to
521 this section shall be kept as a separate fund from other
522 revenues of the district and shall be used exclusively for the
523 acquisition, purchase, or construction of new facilities or
524 portions thereof required to provide fire protection and
525 emergency services to new construction. "New facilities" means
526 land, buildings, and capital equipment, including, but not
527 limited to, fire and emergency vehicles and radio telemetry
528 equipment. The fees shall not be used for the acquisition,
529 purchase, or construction of facilities that must be obtained in

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530 any event, regardless of growth within the district. The board
 531 of fire commissioners shall maintain adequate records to ensure
 532 that impact fees are expended only for permissible new
 533 facilities.

534 Section 9. Special assessments.--

535 (1) The board shall have the right, power, and authority
 536 to levy special assessments against the taxable real estate
 537 within the district, including homestead property otherwise
 538 exempt from taxation, to provide funds for the purpose of the
 539 district. In so doing, the district shall establish a schedule
 540 of land-use classifications and a special assessment for each
 541 land-use classified. The schedule of land-use classifications
 542 shall be established in the manner prescribed in subsection (2).

543 (2) The Board of Fire Commissioners of the Spring Hill
 544 Fire Rescue and Emergency Medical Services District shall fix an
 545 assessment schedule indicating land-use classifications and the
 546 applicable assessment rate for each land-use classified, by
 547 resolution, subsequent to April 1 of each year. If the
 548 assessment schedule contains no new land-use classification and
 549 no increases in the rate of assessment, the assessment shall be
 550 effective for the next calendar year after the passage of the
 551 resolution without the necessity of a referendum. If, however,
 552 the assessment schedule contains any new land-use classification
 553 or any increase in the assessment rate of any land-use
 554 classified, the board of fire commissioners shall submit their
 555 resolution to the electors residing in the district in
 556 accordance with law and if a majority of electors voting in such
 557 a referendum election approve, the assessment schedule shall be

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558 effective for the next calendar year subsequent to the
559 referendum.

560 (3) The board of fire commissioners of the district shall,
561 on or before September 10 of each year, prepare and complete a
562 special assessment roll showing the assessment rate for each
563 parcel of real estate situated in the district.

564 (4) The board of fire commissioners may, in any year, by
565 resolution, change the date on which the assessment schedule is
566 to be fixed and the date on which the final assessment roll is
567 to be adopted, provided that, in the event of any such change of
568 date, the board shall cause a notice to be published in a
569 newspaper in Hernando County, one time, said notice to be
570 published at least 10 days prior to the date on which it is
571 proposed to fix the rate of assessment.

572 (5) Any property owner in the district may, during the
573 period between November 5 and November 15 of any year, file a
574 protest in writing with the board of fire commissioners against
575 the assessment paid by him or her and appear before the board in
576 support of such protest. The board shall hold such meeting as
577 may be necessary after said period to consider any such protest
578 and to make any such adjustment, refund, or denial as it may
579 determine fair, equitable, and proper.

580 Section 10. Property appraiser.--

581 (1) The Hernando County Property Appraiser shall furnish
582 the commissioners a tax roll covering all taxable properties
583 within the district on or before July 1 of each year.

584 (2) The Hernando County Property Appraiser shall include
585 in the Hernando County tax roll the assessments made by the

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586 board, and the same shall be collected in the nature as provided
587 for by this act and paid over by the Hernando County Tax
588 Collector to the board.

589 (3) The Hernando County Property Appraiser shall be
590 reimbursed for assessing such special assessments in the manner
591 and amount authorized by general law, and the Hernando County
592 Tax Collector shall receive a commission or fee of 3 percent for
593 collection of such special assessments.

594 Section 11. Special assessment as a lien.--The special
595 assessment levied and assessed by the district shall be a lien
596 upon the property so assessed along with the county taxes
597 assessed against such property until said assessments and taxes
598 have been paid, and if the special assessment levied by the
599 district becomes delinquent, such special assessment shall be
600 considered a part of the county tax subject to the same
601 penalties, charges, fees, and remedies for enforcement and
602 collection of such taxes.

603 Section 12. Deposit of special assessments; fees;
604 authority to disburse funds.--

605 (1) The proceeds of the assessments and funds of the
606 district shall be deposited in qualified public depositories, in
607 accordance with chapters 191 and 280, Florida Statutes, in the
608 name of the district in a bank authorized to receive deposits of
609 district funds. The bank shall be designated by a resolution of
610 the board.

611 (2) All warrants for the payment of labor, equipment, and
612 other expenses of the board, and in carrying into effect this
613 act and the purpose thereof, shall be payable by the treasurer

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614 of the board on accounts and vouchers approved and authorized by
615 the board. No funds of the district shall be paid out or
616 disbursed except by check signed by the treasurer of the board
617 and either the chair or vice chair of the board.

618 Section 13. Authority to borrow money.--

619 (1) The board of fire commissioners shall have the power
620 and authority to borrow money or issue other evidences of
621 indebtedness for the purposes of the district in accordance with
622 chapters 189 and 191, Florida Statutes, provided, however, that
623 the total payments in any 1 year, including principal and
624 interest, on any indebtedness incurred by the district shall not
625 exceed 50 percent of the total annual budgeted revenues of the
626 district.

627 (2) The board of fire commissioners as a body, or any of
628 the members of the board as individuals, shall not be personally
629 or individually liable for the repayment of such loan. Such
630 repayment shall be made out of the receipts of the district,
631 except as provided in this subsection. The fire commissioners
632 shall not create any indebtedness or incur obligations for any
633 sum or amount that they are unable to repay out of district
634 funds available to them at that time, except as otherwise
635 provided in this act, provided, however, that the fire
636 commissioners may make purchases of equipment on an installment
637 basis as necessary if funds are available for the payment of the
638 current year's installment on such equipment plus the amount due
639 in that year on any other installments and the repayment of any
640 bank loan or other existing indebtedness that may be due that
641 year.

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642 Section 14. Use of district funds.--No funds of the
643 district shall be used for any purposes other than the
644 administration of the affairs and business of the district; the
645 payment of salaries and expenses to fire commissioners; the
646 construction, care, maintenance, upkeep, operation, and purchase
647 of firefighting and rescue equipment or a fire station or
648 emergency medical station; the payment of public utilities; the
649 payment of salaries of district personnel; the payment of
650 expenses of volunteers; the payment to the Spring Hill Fire
651 Rescue District; and such other payment and expenses as the
652 board may from time to time determine to be necessary for the
653 operations and effectiveness of the district.

654 Section 15. Record of board meetings; authority to adopt
655 rules and regulations; annual reports; budget.--

656 (1) A record shall be kept of all meetings of the board,
657 and in such meetings concurrence of a majority of the fire
658 commissioners present shall be necessary to any affirmative
659 action by the board.

660 (2) The board shall have the authority to adopt and amend
661 policies and regulations for the administration of the affairs
662 of the district under the terms of this act and chapters 189 and
663 191, Florida Statutes, which shall include, but not be limited
664 to, the authority to adopt the necessary rules and regulations
665 for the administration and supervision of the property and
666 personnel of the district; for the prevention of fires, fire
667 control, fire hydrant placement, and flow testing in accordance
668 with current NFPA rules; and for rescue work within the
669 district.

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670 (3) The board of fire commissioners shall have the
671 authority to adopt uniform fire prevention ordinances. Such
672 ordinances shall be signed, dated, and recorded with the Clerk
673 of the Court of Hernando County and published as provided by
674 state law. Ordinances shall be effective after publication,
675 which constitutes legal notice of same.

676 (4) The board shall, on or before November 1, make an
677 annual report of its actions and accounting of its funds as of
678 September of that year and shall file said report in the office
679 of the Clerk of the Circuit Court of Hernando County, whose duty
680 it shall be to receive and file said report and hold and keep
681 the same as a public record.

682 (5) For the purposes of carrying into effect this act, the
683 board shall annually prepare, consider, and adopt a district
684 budget pursuant to the applicable requirements of chapters 189
685 and 191, Florida Statutes. The board shall, at the same time as
686 it makes its annual report, file its estimated budget for the
687 fiscal year beginning October 1, which budget shall show the
688 estimated revenue to be received by the district and the
689 estimated expenditures to be incurred by the district in
690 carrying out its operations. The fire commissioners shall adopt
691 a fiscal year for said fire district, which shall be October 1
692 to September 30.

693 Section 16. Authority to enact fire prevention ordinances
694 and enter land; authority to provide fire, rescue, and emergency
695 medical services.--

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696 (1) The board of fire commissioners shall have the right
697 and power to enact fire prevention ordinances as provided by
698 general law.

699 (2) The fire marshal or duly authorized inspector shall be
700 authorized to enter, at all reasonable hours, any building or
701 premises for the purpose of making any inspection or
702 investigation which the State Fire Marshal is authorized to make
703 pursuant to state law and regulation. The owner, lessee,
704 manager, or operator of any building or premises shall permit
705 the district fire marshal or duly authorized inspector to enter
706 and inspect the building or premises at all reasonable hours.
707 The fire marshal or duly authorized inspector shall report any
708 violations of state fire safety laws or regulations to the
709 appropriate officials.

710 (3) The district is authorized to establish and maintain
711 emergency medical and rescue response services and acquire and
712 maintain rescue, medical, and other emergency equipment, subject
713 to the provisions of chapter 401, Florida Statutes.

714 Section 17. Annexations.--If any municipality or other
715 fire control district annexes any land included in the district,
716 such annexation shall follow the procedures set forth in section
717 171.093, Florida Statutes.

718 Section 18. Dissolution.--The district shall exist until
719 dissolved in the same manner as it was created.

720 Section 19. Immunity from tort liability.--

721 (1) The district and its officers, agents, and employees
722 shall have the same immunity from tort liability as other
723 agencies and subdivisions of the state. The provisions of

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724 chapter 768, Florida Statutes, shall apply to all claims
725 asserted against the district.

726 (2) The district fire commissioners and all officers,
727 agents, and employees of the district shall have the same
728 immunity and exemption from personal liability as is provided by
729 chapter 768, Florida Statutes.

730 (3) In accordance with chapter 768, Florida Statutes, the
731 district shall defend all claims against the fire commissioners
732 and officers, agents, and employees of the district which arise
733 within the scope of employment or purposes of the district and
734 shall pay all judgments against said persons, except where said
735 persons acted in bad faith or with malicious purpose or in a
736 manner exhibiting wanton and willful disregard of human rights,
737 safety, or property.

738 Section 20. District expansion.--The corporate limits of
739 the Spring Hill Fire Rescue and Emergency Medical Services
740 District may be extended and enlarged from time to time pursuant
741 to the following procedure:

742 (1) (a) A definitely described tract of land lying
743 contiguous to the boundaries of the district described in
744 section 1, or as the same may from time to time exist, or one or
745 more tracts of land lying contiguous to the boundaries, or one
746 or more tracts of land lying contiguous to each other with one
747 of the tracts lying contiguous to the boundaries of the
748 district, may be included in the district when a written
749 petition for inclusion signed by a majority of the owners of the
750 real property within the tract or tracts to be included in the
751 district has been presented to the board of fire commissioners

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752 and the proposal has been approved by the affirmative vote of no
753 fewer than three members of the board of fire commissioners at a
754 regular meeting.

755 (b) The petition must contain the legal description of the
756 property sought to be added to the district and the names and
757 addresses of the owners of the property.

758 (2) If a proposal to add an area to the district as
759 defined in subsection (1) is approved by the affirmative vote of
760 no fewer than three members of the board of Fire Commissioners
761 at a regular meeting, the board of Fire Commissioners shall
762 thereafter adopt a resolution describing the lands to be
763 included within the district and shall cause such resolution to
764 be duly enrolled in the record of the meeting and a certified
765 copy of the resolution to be recorded in the office of the Clerk
766 of the Circuit Court in Hernando County.

767 (3) Upon adoption of the resolution by the board, the
768 district shall, pursuant to chapter 19 I, Florida Statutes,
769 request its legislative delegation to approve said addition and
770 sponsor legislation amending the district boundary. Upon
771 approval by the Legislature, the boundary shall be amended.

772 (4) In lieu of a petition from the property owners, the
773 Board of County Commissioners of Hernando County by affirmative
774 resolution and the Board of Commissioners of the Spring Hill
775 Fire Rescue and Emergency Medical Services District by
776 affirmative resolution may jointly request its legislative
777 delegation to approve the addition of land lying contiguous to
778 the boundaries of the district and sponsor legislation amending

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779 the district boundary. Upon approval by the Legislature, the
780 boundary shall be amended.

781 Section 21. Construction.--This act shall be construed as
782 remedial and shall be liberally construed to promote the purpose
783 for which it is intended.

784 Section 22. Effect.--In the event that any part of this
785 act should be held void for any reason, such holding shall not
786 affect any other part thereof.

787 Section 23. Exclusive charter.--This act constitutes the
788 exclusive charter of the Spring Hill Fire Rescue and Emergency
789 Medical Services District.

790 Section 24. Referendum.--The provisions of section 6 that
791 authorize the levy of ad valorem taxation shall take effect only
792 upon the approval by a vote of the electors of the district as
793 may be required by the State Constitution. The Board of County
794 Commissioners of Hernando County shall call and the Supervisor
795 of Elections of Hernando County shall conduct a referendum at
796 the next election of the district or at a special election
797 called by the board for that purpose at which referendum the
798 qualified electors in the district shall approve or reject the
799 authority of the district to levy ad valorem taxes provided in
800 this act. Any subsequent increase in said tax levy may only be
801 made with the approval of the electors of the district at a
802 special election called by the board and held for that purpose.

803
804 The ballot language of the title and question shall be as
805 follows:

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806 SHALL THE SPRING HILL INDEPENDENT FIRE DISTRICT BE
 807 AUTHORIZED TO LEVY PROPERTY TAXES UP TO 2.5 MILLS ON
 808 JURISDICTION LANDS TO PROVIDE FIRE AND RESCUE
 809 SERVICES?

810
 811
 812 Yes
 813 No

814
 815 Section 25. This act shall take effect upon becoming a
 816 law, except that the provisions of section 6 that authorize the
 817 levy of ad valorem taxation shall take effect only upon express
 818 approval by a majority vote of those qualified electors of the
 819 Spring Hill Fire Rescue and Emergency Medical Services District,
 820 as required by Section 9 of Article VII of the State
 821 Constitution, voting in the referendum held pursuant to section
 822 24. Such election shall be held in accordance with the
 823 provisions of general law relating to elections.