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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2009	.	
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The Committee on Judiciary (Baker) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (7) through (21) of section 190.003,
Florida Statutes, are renumbered as subsections (8) through
(22), respectively, and a new subsection (7) is added to that
section to read:

190.003 Definitions.—As used in this chapter, the term:

(7) "Compact, urban, mixed-use district" means a district
located within a municipality and within a community



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13 redevelopment area created pursuant to s. 163.356, that consists
14 of a maximum of 75 acres, and has development entitlements of at
15 least 400,000 square feet of retail development and 500
16 residential units.

17 Section 2. Paragraph (a) of subsection (3) of section
18 190.006, Florida Statutes, is amended to read:

19 190.006 Board of supervisors; members and meetings.-

20 (3) (a) 1. If the board proposes to exercise the ad valorem
21 taxing power authorized by s. 190.021, the district board shall
22 call an election at which the members of the board of
23 supervisors will be elected. Such election shall be held in
24 conjunction with a primary or general election unless the
25 district bears the cost of a special election. Each member shall
26 be elected by the qualified electors of the district for a term
27 of 4 years, except that, at the first such election, three
28 members shall be elected for a period of 4 years and two members
29 shall be elected for a period of 2 years. All elected board
30 members must be qualified electors of the district.

31 2.a. Regardless of whether a district has proposed to levy
32 ad valorem taxes, commencing 6 years after the initial
33 appointment of members or, for a district exceeding 5,000 acres
34 in area or for a compact, urban, mixed-use district, 10 years
35 after the initial appointment of members, the position of each
36 member whose term has expired shall be filled by a qualified
37 elector of the district, elected by the qualified electors of
38 the district. However, for those districts established after
39 June 21, 1991, and for those existing districts established
40 after December 31, 1983, which have less than 50 qualified
41 electors on June 21, 1991, sub-subparagraphs b. and d. shall



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42 apply. If, in the 6th year after the initial appointment of
43 members, or 10 years after such initial appointment for
44 districts exceeding 5,000 acres in area or for a compact, urban,
45 mixed-use district, there are not at least 250 qualified
46 electors in the district, or for a district exceeding 5,000
47 acres or for a compact, urban, mixed-use district, there are not
48 at least 500 qualified electors, members of the board shall
49 continue to be elected by landowners.

50 b. After the 6th or 10th year, once a district reaches 250
51 or 500 qualified electors, respectively, then the positions of
52 two board members whose terms are expiring shall be filled by
53 qualified electors of the district, elected by the qualified
54 electors of the district for 4-year terms. The remaining board
55 member whose term is expiring shall be elected for a 4-year term
56 by the landowners and is not required to be a qualified elector.
57 Thereafter, as terms expire, board members shall be qualified
58 electors elected by qualified electors of the district for a
59 term of 4 years.

60 c. Once a district qualifies to have any of its board
61 members elected by the qualified electors of the district, the
62 initial and all subsequent elections by the qualified electors
63 of the district shall be held at the general election in
64 November. The board shall adopt a resolution if necessary to
65 implement this requirement when the board determines the number
66 of qualified electors as required by sub-subparagraph d., to
67 extend or reduce the terms of current board members.

68 d. On or before June 1 of each year, the board shall
69 determine the number of qualified electors in the district as of
70 the immediately preceding April 15. The board shall use and rely



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71 upon the official records maintained by the supervisor of
72 elections and property appraiser or tax collector in each county
73 in making this determination. Such determination shall be made
74 at a properly noticed meeting of the board and shall become a
75 part of the official minutes of the district.

76 Section 3. The amendment to s. 190.006, Florida Statutes,
77 made by this act shall apply retroactively to districts
78 established prior to July 1, 2009.

79 Section 4. Paragraph (a) of subsection (1) of section
80 190.005, Florida Statutes, is amended to read:

81 190.005 Establishment of district.-

82 (1) The exclusive and uniform method for the establishment
83 of a community development district with a size of 1,000 acres
84 or more shall be pursuant to a rule, adopted under chapter 120
85 by the Florida Land and Water Adjudicatory Commission, granting
86 a petition for the establishment of a community development
87 district.

88 (a) A petition for the establishment of a community
89 development district shall be filed by the petitioner with the
90 Florida Land and Water Adjudicatory Commission. The petition
91 shall contain:

92 1. A metes and bounds description of the external
93 boundaries of the district. Any real property within the
94 external boundaries of the district which is to be excluded from
95 the district shall be specifically described, and the last known
96 address of all owners of such real property shall be listed. The
97 petition shall also address the impact of the proposed district
98 on any real property within the external boundaries of the
99 district which is to be excluded from the district.



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100 2. The written consent to the establishment of the district
101 by all landowners whose real property is to be included in the
102 district or documentation demonstrating that the petitioner has
103 control by deed, trust agreement, contract, or option of 100
104 percent of the real property to be included in the district, and
105 when real property to be included in the district is owned by a
106 governmental entity and subject to a ground lease as described
107 in s. 190.003(14)~~(13)~~, the written consent by such governmental
108 entity.

109 3. A designation of five persons to be the initial members
110 of the board of supervisors, who shall serve in that office
111 until replaced by elected members as provided in s. 190.006.

112 4. The proposed name of the district.

113 5. A map of the proposed district showing current major
114 trunk water mains and sewer interceptors and outfalls if in
115 existence.

116 6. Based upon available data, the proposed timetable for
117 construction of the district services and the estimated cost of
118 constructing the proposed services. These estimates shall be
119 submitted in good faith but shall not be binding and may be
120 subject to change.

121 7. A designation of the future general distribution,
122 location, and extent of public and private uses of land proposed
123 for the area within the district by the future land use plan
124 element of the effective local government comprehensive plan of
125 which all mandatory elements have been adopted by the applicable
126 general-purpose local government in compliance with the Local
127 Government Comprehensive Planning and Land Development
128 Regulation Act.



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129 8. A statement of estimated regulatory costs in accordance
130 with the requirements of s. 120.541.

131 Section 5. Paragraph (b) of subsection (7) of section
132 190.011, Florida Statutes, is amended to read:

133 190.011 General powers.—The district shall have, and the
134 board may exercise, the following powers:

135 (7)

136 (b) When real property in the district is owned by a
137 governmental entity and subject to a ground lease as described
138 in s. 190.003(14)~~(13)~~, to collect ground rent from landowners
139 pursuant to a contract with such governmental entity and to
140 contract with the county tax collector for collection of such
141 ground rent using the procedures authorized in s. 197.3631,
142 other than the procedures contained in s. 197.3632.

143 Section 6. Subsection (2) of section 190.016, Florida
144 Statutes, is amended to read:

145 190.016 Bonds.—

146 (2) AUTHORIZATION AND FORM OF BONDS.—Any general obligation
147 bonds, benefit bonds, or revenue bonds may be authorized by
148 resolution or resolutions of the board which shall be adopted by
149 a majority of all the members thereof then in office. Such
150 resolution or resolutions may be adopted at the same meeting at
151 which they are introduced and need not be published or posted.
152 The board may, by resolution, authorize the issuance of bonds
153 and fix the aggregate amount of bonds to be issued; the purpose
154 or purposes for which the moneys derived therefrom shall be
155 expended, including, but not limited to, payment of costs as
156 defined in s. 190.003(8)~~(7)~~; the rate or rates of interest, in
157 compliance with s. 215.84; the denomination of the bonds;



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158 whether or not the bonds are to be issued in one or more series;
159 the date or dates of maturity, which shall not exceed 40 years
160 from their respective dates of issuance; the medium of payment;
161 the place or places within or without the state where payment
162 shall be made; registration privileges; redemption terms and
163 privileges, whether with or without premium; the manner of
164 execution; the form of the bonds, including any interest coupons
165 to be attached thereto; the manner of execution of bonds and
166 coupons; and any and all other terms, covenants, and conditions
167 thereof and the establishment of revenue or other funds. Such
168 authorizing resolution or resolutions may further provide for
169 the contracts authorized by s. 159.825(1)(f) and (g) regardless
170 of the tax treatment of such bonds being authorized, subject to
171 the finding by the board of a net saving to the district
172 resulting by reason thereof. Such authorizing resolution may
173 further provide that such bonds may be executed in accordance
174 with the Registered Public Obligations Act, except that bonds
175 not issued in registered form shall be valid if manually
176 countersigned by an officer designated by appropriate resolution
177 of the board. The seal of the district may be affixed,
178 lithographed, engraved, or otherwise reproduced in facsimile on
179 such bonds. In case any officer whose signature shall appear on
180 any bonds or coupons shall cease to be such officer before the
181 delivery of such bonds, such signature or facsimile shall
182 nevertheless be valid and sufficient for all purposes the same
183 as if he or she had remained in office until such delivery.

184 Section 7. Subsection (10) of section 190.021, Florida
185 Statutes, is amended to read:

186 190.021 Taxes; non-ad valorem assessments.-



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187 (10) LAND OWNED BY GOVERNMENTAL ENTITY.—Except as otherwise
188 provided by law, no levy of ad valorem taxes or non-ad valorem
189 assessments under this chapter, or chapter 170, chapter 197, or
190 otherwise, by a board of a district on property of a
191 governmental entity that is subject to a ground lease as
192 described in s. 190.003(14)~~(13)~~, shall constitute a lien or
193 encumbrance on the underlying fee interest of such governmental
194 entity.

195 Section 8. Paragraph (g) of subsection (2) of section
196 348.968, Florida Statutes, is amended to read:

197 348.968 Purposes and powers.—

198 (2) The authority is granted, and shall have and may
199 exercise, all powers necessary, appurtenant, convenient, or
200 incidental to the carrying out of said purposes, including, but
201 not limited to, the following rights and powers:

202 (g) To borrow money and make and issue bonds, which bonds
203 may be issued pursuant to the State Bond Act or, in the
204 alternative, pursuant to the provisions of s. 348.969(2), in
205 either case, for any purpose of the authority authorized,
206 including the financing of all or part of the cost, as specified
207 in s. 190.003(8)~~(7)~~, of all or any part of the system and the
208 refunding of any and all previous issues of bonds of the
209 authority at or prior to maturity.

210 Section 9. Subsection (4) of section 190.012, Florida
211 Statutes, is amended to read:

212 190.012 Special powers; public improvements and community
213 facilities.—The district shall have, and the board may exercise,
214 subject to the regulatory jurisdiction and permitting authority
215 of all applicable governmental bodies, agencies, and special



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216 districts having authority with respect to any area included
217 therein, any or all of the following special powers relating to
218 public improvements and community facilities authorized by this
219 act:

220 (4) (a) To adopt rules necessary for the district to enforce
221 certain deed restrictions pertaining to the use and operation of
222 real property within the district and outside the district ~~if~~
223 pursuant to an interlocal agreement under chapter 163 if within
224 another district or, if not within another district, with the
225 consent of the county or municipality in which the deed
226 restriction enforcement is proposed to occur. For the purpose of
227 this subsection, the term "deed restrictions" means ~~are~~ those
228 covenants, conditions, ~~and~~ restrictions, compliance mechanisms,
229 and enforcement remedies contained in any applicable
230 declarations of covenants and restrictions that govern the use
231 and operation of real property ~~within the district~~ and, for
232 which covenants, conditions, and restrictions, there is no
233 homeowners' association or property owner's association having
234 respective enforcement powers unless, with respect to a
235 homeowners' association whose board is under member control, the
236 association and the district agree in writing to enforcement by
237 the district. The district may adopt by rule all or certain
238 portions of the deed restrictions that:

239 1. Relate to limitations, ~~or~~ prohibitions, compliance
240 mechanisms, or enforcement remedies that apply only to external
241 appearances or uses ~~structures~~ and are deemed by the district to
242 be generally beneficial for the district's landowners and for
243 which enforcement by the district is appropriate, as determined
244 by the district's board of supervisors; or



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

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

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

251 ~~1.2.~~ The district was in existence on the effective date of
252 this subsection, or is located within a development that
253 consists of multiple developments of regional impact and a
254 Florida Quality Development.~~;~~

255 ~~2.3.~~ For residential districts, the majority of the board
256 has been elected by qualified electors pursuant to the
257 provisions of s. 190.006.~~;~~ and

258 3. For residential districts, less than 25 percent of
259 residential units are in a homeowners' association.

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

264 (c) Within 60 days after such rules take effect, the
265 district shall record a notice of rule adoption stating
266 generally what rules were adopted and where a copy of the rules
267 may be obtained. Districts may impose fines for violations of
268 such rules and enforce such rules and fines in circuit court
269 through injunctive relief.

270 (d) The owners of property located outside the boundary of
271 the district shall elect an advisor to the district board
272 pursuant to paragraph (e). The sole responsibilities of the
273 district board advisor are to review enforcement actions



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274 proposed by the district board against properties located
275 outside the district and make recommendations relating to those
276 proposed actions. Before the district board may enforce its
277 rules against any owner of property located outside the
278 district, the district board shall request the district board
279 advisor to make a recommendation on the proposed enforcement
280 action. The district board advisor must render a recommendation
281 within 30 days after receiving a request from the district board
282 or is deemed to have no objection to the district board's
283 proposed decision or action.

284 (e)1. Whenever an interlocal agreement is entered into
285 pursuant to paragraph (a), a district board advisor seat shall
286 be created for one elected landowner whose property is within
287 the jurisdiction of the governmental entity entering into the
288 interlocal agreement but not within the boundaries of the
289 district. The district board advisor shall be elected by
290 landowners whose land is subject to enforcement by the district
291 but whose land is not within the boundaries of the district. The
292 district board advisor shall be elected for a 2-year term. The
293 first election for a district board advisor shall be within 90
294 days after the effective date of the interlocal agreement
295 between the district and the government entity.

296 2. The election of the district board advisor shall occur
297 at a meeting of eligible landowners. The district shall publish
298 notice of the meeting and election once a week for 2 consecutive
299 weeks in a newspaper of general circulation in the area of the
300 parties to the interlocal agreement. The notice must include
301 instructions on how all landowners may participate in the
302 election and how to obtain a proxy form. The last day of



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303 publication may not be less than 14 days or more than 28 days
304 before the date of the election. The landowners, when assembled
305 at the meeting, shall organize by electing a chair who shall
306 conduct the meeting. The chair may be any person present at the
307 meeting. If the chair is a landowner or proxy holder of a
308 landowner, he or she may nominate candidates and make and second
309 motions.

310 3. At the meeting, each landowner is entitled to cast one
311 vote per acre of land owned by him or her and located within the
312 district for each person to be elected. A landowner may vote in
313 person or by proxy in writing. Each proxy must be signed by one
314 of the legal owners of the property for which the vote is cast
315 and must contain the typed or printed name of the individual who
316 signed the proxy; the street address, legal description of the
317 property, or tax parcel identification number; and the number of
318 authorized votes. If the proxy authorizes more than one vote,
319 each property must be listed and the number of acres of each
320 property must be included. The signature on a proxy need not be
321 notarized. A fraction of an acre shall be treated as 1 acre,
322 entitling the landowner to one vote with respect thereto. For
323 purposes of determining voting interests, platted lots shall be
324 counted individually and rounded up to the nearest whole acre.
325 The acreage of platted lots may not be aggregated for purposes
326 of determining the number of voting units held by a landowner or
327 a landowner's proxy.

328 4. If a vacancy occurs in the district advisor seat, a
329 special landowner election shall be held within 60 days after
330 the vacancy using the notice, proxy, and acreage voting
331 provisions of this subsection.



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332 Section 10. Subsections (1) and (3) of section 190.046,
333 Florida Statutes, are amended to read:

334 190.046 Termination, contraction, or expansion of
335 district.—

336 (1) A landowner or the board may petition to contract or
337 expand the boundaries of a community development district in the
338 following manner:

339 (a) The petition shall contain the same information
340 required by s. 190.005(1)(a)1. and 8. In addition, if the
341 petitioner seeks to expand the district, the petition shall
342 describe the proposed timetable for construction of any district
343 services to the area, the estimated cost of constructing the
344 proposed services, and the designation of the future general
345 distribution, location, and extent of public and private uses of
346 land proposed for the area by the future land use plan element
347 of the adopted local government local comprehensive plan. If the
348 petitioner seeks to contract the district, the petition shall
349 describe what services and facilities are currently provided by
350 the district to the area being removed, and the designation of
351 the future general distribution, location, and extent of public
352 and private uses of land proposed for the area by the future
353 land element of the adopted local government comprehensive plan.

354 (b) For those districts initially established by county
355 ordinance, the petition for ordinance amendment shall be filed
356 with the county commission. If the land to be included or
357 excluded is, in whole or in part, within the boundaries of a
358 municipality, then the county commission shall not amend the
359 ordinance without municipal approval. A public hearing shall be
360 held in the same manner and with the same public notice as other



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361 ordinance amendments. The county commission shall consider the
362 record of the public hearing and the factors set forth in s.
363 190.005(1)(e) in making its determination to grant or deny the
364 petition for ordinance amendment.

365 (c) For those districts initially established by municipal
366 ordinance pursuant to s. 190.005(2)(e), the municipality shall
367 assume the duties of the county commission set forth in
368 paragraph (b); however, if any of the land to be included or
369 excluded, in whole or in part, is outside the boundaries of the
370 municipality, then the municipality shall not amend its
371 ordinance without county commission approval.

372 (d)1. For those districts initially established by
373 administrative rule pursuant to s. 190.005(1), the petition
374 shall be filed with the Florida Land and Water Adjudicatory
375 Commission.

376 2. Prior to filing the petition, the petitioner shall pay a
377 filing fee of \$1,500, to the county if the district or the land
378 to be added or deleted from the district is located within an
379 unincorporated area or to the municipality if the district or
380 the land to be added or deleted is located within an
381 incorporated area, and to each municipality the boundaries of
382 which are contiguous with or contain all or a portion of the
383 land within or to be added to or deleted from the external
384 boundaries of the district ~~or the proposed amendment, and submit~~
385 ~~a copy of the petition to the county and to each such~~
386 ~~municipality.~~ The petitioner shall submit a copy of the petition
387 to the same entities entitled to receive the filing fee. In
388 addition, if the district is not the petitioner, the petitioner
389 shall file the petition with the district board of supervisors.



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390 3. Each ~~The~~ county and each municipality shall have the
391 option of holding a public hearing as provided by s.
392 190.005(1)(c). However, the ~~such~~ public hearing shall be limited
393 to consideration of the contents of the petition and whether the
394 petition for amendment should be supported by the county or
395 municipality.

396 4. The district board of supervisors shall, in lieu of a
397 hearing officer, hold the local public hearing provided for by
398 s. 190.005(1)(d). This local public hearing shall be noticed in
399 the same manner as provided in s. 190.005(1)(d). Within 45 days
400 of the conclusion of the hearing, the district board of
401 supervisors shall transmit to the Florida Land and Water
402 Adjudicatory Commission the full record of the local hearing,
403 the transcript of the hearing, any resolutions adopted by the
404 local general-purpose governments, and its recommendation
405 whether to grant the petition for amendment. The commission
406 shall then proceed in accordance with s. 190.005(1)(e).

407 5. A rule amending a district boundary shall describe the
408 land to be added or deleted.

409 ~~(e) In all cases, written consent of all the landowners
410 whose land is to be added to or deleted from the district shall
411 be required. The filing of the petition for expansion or
412 contraction by the district board of supervisors shall
413 constitute consent of the landowners within the district other
414 than of landowners whose land is proposed to be added to or
415 removed from the district.~~

416 (e) ~~(f)~~1. During the existence of a district initially
417 established by administrative rule, the process ~~petitions~~ to
418 amend the boundaries of the district pursuant to paragraphs (a)-



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419 ~~(d) (a)-(e)~~ shall not permit ~~be limited to~~ a cumulative net
420 total greater of no more than 10 percent of the land in the
421 initial district, and in no event greater ~~shall all such~~
422 ~~petitions to amend the boundaries ever encompass more than a~~
423 ~~total of~~ 250 acres on a cumulative net basis.

424 2. During the existence of a district ~~For districts~~
425 initially established by county or municipal ordinance, the
426 process to amend the boundaries of the district pursuant to
427 paragraphs (a)-(d) limitation provided by this paragraph shall
428 not permit ~~be~~ a cumulative net total greater of no more than 50
429 percent of the land in the initial district, and in no event
430 greater ~~shall all such petitions to amend the boundaries ever~~
431 ~~encompass more than a total of~~ 500 acres on a cumulative net
432 basis.

433 3. ~~Boundary expansions for districts initially established~~
434 ~~by county or municipal ordinance shall follow the procedure set~~
435 ~~forth in paragraph (b) or paragraph (c)~~.

436 ~~(f)-(g)~~ Petitions to amend the boundaries of the district
437 that which exceed the amount of land specified in paragraph (e)
438 ~~(f)~~ shall be processed in accordance with s. 190.005, and the
439 petition shall include only the elements set forth in s.
440 190.005(1)(a)1. and 5.-8. and the consent required by paragraph
441 (g) considered petitions to establish a new district and shall
442 follow all of the procedures specified in s. 190.005. However,
443 the resulting administrative rule or ordinance may only amend
444 the boundaries of the district and may not establish a new
445 district or cause a new 6-year or 10-year period to begin
446 pursuant to s. 190.006(3)(a)2. The filing fee for such petitions
447 shall be as set forth in s. 190.005(1)(b) and (2), as



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448 applicable.

449 (g) In all cases of a petition to amend the boundaries of a
450 district, the filing of the petition by the district board of
451 supervisors constitutes consent of the landowners within the
452 district. In all cases, written consent of those landowners
453 whose land is to be added to or deleted from the district as
454 provided in s. 190.005(1)(a)2. is required.

455 (3) The district may merge with other community development
456 districts upon filing a petition for merger, which petition
457 shall include the elements set forth in s. 190.005(1) and which
458 shall be evaluated using the criteria set forth in s.
459 190.005(1)(e). The filing fee shall be as set forth in s.
460 190.005(1)(b). In addition, the petition shall state whether a
461 new district is to be established or whether one district shall
462 be the surviving district. The district ~~establishment of a~~
463 ~~community development district pursuant to s. 190.005 or~~ may
464 merge with any other special districts upon filing a petition
465 for establishment of a community development district pursuant
466 to s. 190.005. The government formed by a merger involving a
467 community development district pursuant to this section shall
468 assume all indebtedness of, and receive title to, all property
469 owned by the preexisting special districts, and the rights of
470 creditors and liens upon property shall not be impaired by such
471 merger. Any claim existing or action or proceeding pending by or
472 against any district that is a party to the merger may be
473 continued as if the merger had not occurred, or the surviving
474 district may be substituted in the proceeding for the district
475 that ceased to exist. Prior to filing the ~~said~~ petition, the
476 districts desiring to merge shall enter into a merger agreement



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477 and shall provide for the proper allocation of the indebtedness
478 so assumed and the manner in which such ~~said~~ debt shall be
479 retired. The approval of the merger agreement and the petition
480 by the board of supervisors ~~elected by the electors of the~~
481 district shall constitute consent of the landowners within the
482 district.

483 Section 11. This act shall take effect July 1, 2009.

484
485 ===== T I T L E A M E N D M E N T =====

486 And the title is amended as follows:

487 Delete everything before the enacting clause
488 and insert:

489 A bill to be entitled
490 An act relating to community development districts;
491 amending s. 190.003, F.S.; defining the term "compact,
492 urban, mixed-use district"; amending s. 190.006, F.S.;
493 providing for application of certain board of
494 supervisors election time periods to compact, urban,
495 mixed-use districts; providing for retroactive
496 application; amending ss. 190.005, 190.011, 190.016,
497 190.021, and 348.968, F.S.; conforming cross-
498 references; amending s. 190.012, F.S.; revising deed
499 restriction enforcement rulemaking authority of boards
500 of directors of community development districts;
501 authorizing certain property owners to elect a
502 district board advisor; providing advisor
503 responsibilities; providing requirements for district
504 board advisor review and recommendations relating to
505 enforcement of the district rules outside the



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506 boundaries of the district; requiring creation of a
507 district board advisor seat after an interlocal
508 agreement is entered into; providing for election of
509 the advisor and the term of office; providing election
510 procedures and requirements; amending s. 190.046,
511 F.S.; revising procedures and requirements to amend
512 the boundaries of a community development district;
513 revising procedures and requirements to merge
514 community development districts; providing
515 limitations; providing for petition filing fees;
516 preserving rights of creditors, liens upon property,
517 and claims and pending actions or proceedings;
518 providing an effective date.