

By Senator Bennett

21-01567-09

20091856\_\_

1                   A bill to be entitled  
2           An act relating to local governmental powers; amending  
3           s. 125.01, F.S.; prohibiting a county from requiring a  
4           private property owner to expend funds to enhance  
5           certain services or functions provided by local  
6           governments which benefit the general public at the  
7           expense of the property owner; amending s. 166.021,  
8           F.S.; prohibiting a municipality from requiring a  
9           private property owner to expend funds to enhance  
10          certain services or functions provided by local  
11          governments which benefit the general public at the  
12          expense of the property owner; providing an effective  
13          date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17           Section 1. Subsection (8) is added to section 125.01,  
18 Florida Statutes, to read:

19           125.01 Powers and duties.—

20           (8) The legislative and governing body of a county may not  
21 enforce or cause to be enforced, a county code or ordinance that  
22 requires a private property owner to expend funds or take action  
23 to expend funds to enhance the services or functions provided by  
24 local governments, such as protection of the public health,  
25 safety, and welfare, and which provide a benefit to the general  
26 public at the expense of the private property owner.

27           Section 2. Present subsection (10) of section 166.021,  
28 Florida Statutes, is renumbered as subsection (11), and a new  
29 subsection (10) is added to that section, to read:

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30 166.021 Powers.—

31 (10) The legislative and governing body of a municipality  
32 may not enforce or cause to be enforced a municipal code or  
33 ordinance that requires a private property owner to expend funds  
34 or take action to expend funds to enhance the services or  
35 functions provided by local governments, such as protection of  
36 the public health, safety, and welfare, and which provide a  
37 benefit to the general public at the expense of the private  
38 property owner.

39 Section 3. This act shall take effect July 1, 2009.