

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 393

Viera Stewardship District, Brevard County

SPONSOR(S): Poppell

TIED BILLS:

IDEN./SIM. BILLS:

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Military & Local Affairs Policy Committee	13 Y, 0 N	Fudge	Hoagland
2)	Economic Development & Community Affairs Policy Council		Fudge	Tinker
3)				
4)				
5)				

SUMMARY ANALYSIS

The Viera Stewardship District (District) is an independent special district in Brevard County, Florida. The District consists of approximately 14,000 acres. The District's charter grants the District the powers, functions, and duties under chs. 189 (Special District; General Provisions) and 190 (Community Development Districts), F.S. The District was created to provide community development systems, facilities, services, projects, improvements, and infrastructure to the area.

HB 393 excludes approximately 38 acres and adds less than one acre to the District. The bill also calls for a referendum, within 90 days after becoming law, by a majority vote of the landowners within district including the additional territory.

The bill provides an effective date of upon becoming law, except for the amendment of the district boundaries, which will only take effect upon approval by a majority vote of landowners present.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Viera Stewardship District is an independent special district in Brevard County, Florida. The District consists of approximately 14,000 acres. The District's charter grants the District the powers, functions, and duties under chs. 189 (Special District; General Provisions) and 190 (Community Development Districts), F.S.

The District was created to provide community development systems, facilities, services, projects, improvements, and infrastructure to the area. The District may levy user charges and fees; non-ad valorem maintenance taxes as authorized by general law; and special assessments. The District may also impose ad valorem taxes not to exceed 3 mills upon voter approval at referendum conducted after the entire board is elected by electors of the District. However, according to the Economic Impact Statement no special assessments have been calculated or levied to date.

Effect of Proposed Changes

The bill amends the boundaries of the District to exclude approximately 38 acres and add less than one acre to the District.¹ The bill also calls for a referendum within 90 days after becoming law. Landowners within the original district boundary and within any land being added to the district by the bill may vote in the referendum. Each assessable acre or fraction thereof is counted as one vote. Landowners are provided notice in accordance with section 5(2)(a) of ch. 2006-360, L.O.F., which requires publication in a newspaper of general circulation in the area of the District once a week for two consecutive weeks.

B. SECTION DIRECTORY:

Section 1: Amends section 4 of ch. 2006-360, Laws of Florida, expanding the territorial boundaries of the Viera Improvement District.

Section 2: Provides for a referendum.

¹ Letter from Viera Stewardship District to the Brevard County Legislative Delegation explaining the amendment of District boundaries.

Section 3: Provides for an effective date of upon approval by a majority of landowners present for s. 1, and upon becoming law for s. 2.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? December 23, 2008.

WHERE? In the *Florida Today*, a newspaper published in Brevard County, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN? Within 90 days after the effective date of the bill.

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

The Economic Impact Statement indicates that no special assessments have been calculated or levied to date by the District.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES