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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/11/2011	.	
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	.	

The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment (with title amendment)

Between lines 12 and 13
insert:

Section 1. Subsection (1) of section 170.01, Florida Statutes, is amended to read:

170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.—

(1) Any municipality of this state may, by its governing authority:

(a) Provide for the construction, reconstruction, repair, paving, repaving, hard surfacing, rehard surfacing, widening,



13 guttering, and draining of streets, boulevards, and alleys; for
14 grading, regrading, leveling, laying, relaying, paving,
15 repaving, hard surfacing, and rehard surfacing of sidewalks; for
16 constructing or reconstructing permanent pedestrian canopies
17 over public sidewalks; and in connection with any of the
18 foregoing, provide related lighting, landscaping, street
19 furniture, signage, and other amenities as determined by the
20 governing authority of the municipality;

21 (b) Order the construction, reconstruction, repair,
22 renovation, excavation, grading, stabilization, and upgrading of
23 greenbelts, swales, culverts, sanitary sewers, storm sewers,
24 outfalls, canals, primary, secondary, and tertiary drains, water
25 bodies, marshlands, and natural areas, all or part of a
26 comprehensive stormwater management system, including the
27 necessary appurtenances and structures thereto and including,
28 but not limited to, dams, weirs, and pumps;

29 (c) Order the construction or reconstruction of water
30 mains, water laterals, alternative water supply systems,
31 including, but not limited to, reclaimed water, aquifer storage
32 and recovery, and desalination systems, and other water
33 distribution facilities, including the necessary appurtenances
34 thereto;

35 (d) Pay for the relocation of utilities, including the
36 placement underground of electrical, telephone, and cable
37 television services, pursuant to voluntary agreement with the
38 utility, but nothing contained in this paragraph shall affect a
39 utility's right to locate or relocate its facilities on its own
40 initiative at its own expense;

41 (e) Provide for the construction or reconstruction of parks



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42 and other public recreational facilities and improvements,
43 including appurtenances thereto;
44 (f) Provide for the construction or reconstruction of
45 seawalls;
46 (g) Provide for the drainage and reclamation of wet, low,
47 or overflowed lands;
48 (h) Provide for offstreet parking facilities, parking
49 garages, or similar facilities;
50 (i) Provide for mass transportation systems;
51 (j) Provide for improvements to permit the passage and
52 navigation of watercraft; ~~and~~
53 (k) Pay the additional costs of renewable energy, as
54 defined in s. 366.91, which are in excess of a public utility's
55 full avoided costs, as defined in s. 366.051, pursuant to an
56 agreement with the public utility; and
57 (l) ~~(k)~~ Provide for the payment of all or any part of the
58 costs of any such improvements by levying and collecting special
59 assessments on the abutting, adjoining, contiguous, or other
60 specially benefited property.
61
62 However, offstreet parking facilities, parking garages, or other
63 similar facilities and mass transportation systems must be
64 approved by vote of a majority of the affected property owners.
65 Any municipality which is legally obligated for providing
66 capital improvements for water, alternative water supplies,
67 including, but not limited to, reclaimed water, water from
68 aquifer storage and recovery, and desalination systems, or sewer
69 facilities within an unincorporated area of the county may
70 recover the costs of the capital improvements by levying and



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71 collecting special assessments for the purposes authorized in
72 this section on the specially benefited property; however,
73 collections of the special assessment shall not take place until
74 the specially benefited property connects to the capital
75 improvement.

76
77 ===== T I T L E A M E N D M E N T =====

78 And the title is amended as follows:

79 Delete line 2

80 and insert:

81 An act relating to energy conservation; amending s.
82 170.01, F.S.; authorizing a municipality to collect
83 special assessments to pay the additional costs to
84 purchase renewable energy for the municipality;
85 amending s.