By Senator Latvala

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1   A bill to be entitled

2   An act relating to the Lealman Special Fire Control

3   District, Pinellas County; amending chapter 2000-426,

4   Laws of Florida, as amended; reducing the maximum ad

5   valorem millage rate that may be levied by the

6   district; providing requirements for the annexation of

7   the unincorporated territory of the district by a

8   municipality; requiring the approval of an annexation

9   by a referendum of the electors within the district;

10   providing for future expiration of the requirements

11   for annexation; providing an effective date.

12

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

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15   Section 1. Sections 8, 11, and 15 of section 1 of chapter

16 2000-426, Laws of Florida, as amended by chapters 2002-352 and

17 2007-288, Laws of Florida, are amended to read:

18   Section 8. Taxes; non-ad valorem assessments; impact fees;

19 user charges; bond issuance.—

20   (1) The District shall also hold all powers, functions, and

21 duties set forth in this Act and chapters 189, 191, and 197,

22 Florida Statutes, as amended from time to time, including, but

23 not limited to, ad valorem taxation, bond issuance, other

24 revenue-raising capabilities, budget preparation and approval,

25 liens and foreclosure of liens, use of tax deeds and tax

26 certificates as appropriate for non-ad valorem assessments, and

27 contractual agreements; however, an ad valorem tax levied by the

28 Board for operating purposes, exclusive of debt service on

29 bonds, may not exceed 5.5 ~~10~~ mills if approved by a majority

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30 vote of qualified electors of the district voting in a

31 referendum election providing for such millage rate. The

32 District may be financed by any method established in this Act,

33 chapter 189, or chapter 191, Florida Statutes, as amended from

34 time to time.

35   (2) The methods for assessing and collecting non-ad valorem

36 assessments, fees, or service charges shall be as set forth in

37 chapter 170, chapter 189, chapter 191, or chapter 197, Florida

38 Statutes, as amended from time to time.

39   Section 11. Annexation of territories by municipalities.—

40   (1) For the purposes and requirements of this act, after

41 the annexation by a municipality of any unincorporated area

42 within the Lealman Special Fire Control District, the annexed

43 area shall be treated as lying within the corporate boundaries

44 of the annexing municipality and shall not be subject to a levy

45 of the ad valorem tax that is authorized by this act.

46   (2) Notwithstanding any other provision of law, a

47 municipality may not annex any unincorporated territory situated

48 within the Lealman Special Fire Control District, except an area

49 defined as an "enclave" pursuant to s. 171.031(13), Florida

50 Statutes, unless the annexation is of all of the territory of

51 the district and the annexation is approved by a majority vote

52 of the electors of the district voting in a referendum called

53 for that purpose. This subsection expires May 1, 2016.

54   Section 15. Referendum.—

55   (1) The provisions of section 8 which authorize the levy of

56 ad valorem taxation shall take effect only upon express approval

57 by a majority vote of those qualified electors of the district,

58 as required by Section 9, Article VII, of the State

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59 Constitution, voting in a referendum to be held in conjunction

60 with the next general election. Such election shall be held in

61 accordance with the provisions of law relating to elections

62 currently in force in the district.

63   (2) This act does not require a referendum to approve the

64 levy of an ad valorem tax at a millage rate less than a millage

65 rate previously approved by referendum pursuant to this act.

66   Section 2. This act shall take effect upon becoming a law.