

1 A bill to be entitled
 2 An act relating to small municipalities; amending s.
 3 163.3164, F.S.; defining the term "municipality of special
 4 financial concern"; amending s. 163.3177, F.S.; requiring
 5 the state land planning agency to grant a waiver from
 6 requirements relating to updating the capital improvements
 7 element of the comprehensive plan and amendments updating
 8 the regional water supply plan to certain municipal
 9 applicants who meet specified criteria; amending s.
 10 163.3191, F.S.; requiring the state land planning agency
 11 to grant a waiver of requirements to certain municipal
 12 applicants who meet specified criteria; amending s.
 13 218.39, F.S.; revising the amount of municipal revenues or
 14 expenditures and expenses that require a municipality to
 15 complete a financial audit of its accounts and records;
 16 providing an effective date.

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

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 20 Section 1. Subsection (35) is added to section 163.3164,
 21 Florida Statutes, to read:

22 163.3164 Local Government Comprehensive Planning and Land
 23 Development Regulation Act; definitions.—As used in this act:

24 (35) "Municipality of special financial concern" means:

25 (a) Any municipality of special financial concern, as
 26 defined in s. 200.185(1)(b), with a per capita taxable value of
 27 assessed property of \$58,000 or less; or

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28 (b) Any municipality that has a population under 20,000
29 with a per capita taxable value of assessed property of \$46,000
30 or less.

31 Section 2. Subsection (16) is added to section 163.3177,
32 Florida Statutes, to read:

33 163.3177 Required and optional elements of comprehensive
34 plan; studies and surveys.—

35 (16) (a) A municipality of special financial concern or
36 with annual revenues or expenditures of less than \$1 million may
37 apply to the state land planning agency for a waiver from the
38 updating requirements of subsection (3) applicable to the
39 existing capital improvements element and schedule, and the
40 agency must grant the waiver upon finding that the municipality
41 has acknowledged in the application that it recognizes that any
42 future amendments to the comprehensive plan require a
43 determination of any necessary capital improvements and that the
44 municipality meets one or more of the following criteria:

45 1. There is vacant property equaling 15 percent or less of
46 the total land area of the municipality or a total of 25 acres;

47 2. There are no scheduled capital improvements; or

48 3. The municipality has not experienced one or more of the
49 following:

50 a. Annexation activity within the last year.

51 b. New development since the last update of the capital
52 improvements element and schedule.

53 c. Change to its comprehensive plan since the last review
54 of the capital improvements element.

55 (b) A municipality of special financial concern or with
 56 annual revenues or expenditures of less than \$1 million may
 57 apply to the state land planning agency for a waiver from the
 58 requirements of this section applicable to amendments to update
 59 the regional water supply plan, and the agency must grant the
 60 waiver upon finding that the municipality has acknowledged in
 61 the application that it recognizes that any future amendments to
 62 the comprehensive plan require a determination of any necessary
 63 capital improvements and that the municipality has demonstrated
 64 no significant impact by meeting one or more of the following
 65 criteria:

66 1. There is vacant property equaling 15 percent or less of
 67 the total land area of the municipality or a total of 25 acres;

68 2. There are no scheduled capital improvements; or

69 3. The municipality did not experience one or more of the
 70 following:

71 a. Annexation activity within the last year.

72 b. New development since the last update of the capital
 73 improvements element and schedule.

74 c. Change to its comprehensive plan since the last review
 75 of the capital improvements element.

76 Section 3. Subsection (15) is added to section 163.3191,
 77 Florida Statutes, to read:

78 163.3191 Evaluation and appraisal of comprehensive plan.—

79 (15) A municipality of special financial concern or with
 80 annual revenues or expenditures of less than \$1 million may
 81 apply to the state land planning agency for a waiver of the
 82 scoping meeting requirement of subsection (3) or other

83 requirements of this section, and the agency must grant the
 84 waiver upon finding that the municipality has acknowledged in
 85 the application that it recognizes that any future amendments to
 86 the comprehensive plan require a determination of any necessary
 87 capital improvements and that the municipality meets one or more
 88 of the following criteria:

89 (a) There is vacant property equaling 15 percent or less
 90 of the total land area of the municipality or a total of 25
 91 acres;

92 (b) There are no scheduled capital improvements; or

93 (c) Has not experienced one or more of the following:

94 1. Annexation activity within the last year.

95 2. New development since the last update of the capital
 96 improvements element and schedule.

97 3. Change to its comprehensive plan since the last review
 98 of the capital improvements element.

99 Section 4. Paragraphs (b) and (g) of subsection (1) of
 100 section 218.39, Florida Statutes, are amended to read:

101 218.39 Annual financial audit reports.—

102 (1) If, by the first day in any fiscal year, a local
 103 governmental entity, district school board, charter school, or
 104 charter technical career center has not been notified that a
 105 financial audit for that fiscal year will be performed by the
 106 Auditor General, each of the following entities shall have an
 107 annual financial audit of its accounts and records completed
 108 within 12 months after the end of its fiscal year by an
 109 independent certified public accountant retained by it and paid
 110 from its public funds:

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111 (b) Any municipality with revenues or the total of
112 expenditures and expenses of \$1 million or more ~~in excess of~~
113 ~~\$250,000~~.

114 (g) Each municipality with revenues or the total of
115 expenditures and expenses less than \$1 million ~~between \$100,000~~
116 ~~and \$250,000~~ that has not been subject to a financial audit
117 pursuant to this subsection for the 2 preceding fiscal years.

118 Section 5. This act shall take effect July 1, 2011.