

HB 769

2011

1                   A bill to be entitled  
2           An act relating to the Lealman Special Fire Control  
3           District, Pinellas County; amending chapter 2000-426, Laws  
4           of Florida, as amended; reducing the maximum ad valorem  
5           millage rate that may be levied by the district; providing  
6           requirements for the annexation of the unincorporated  
7           territory of the district by a municipality; requiring the  
8           approval of an annexation at a referendum; providing for  
9           future expiration of the requirements for annexation;  
10          providing that a referendum is not required to approve the  
11          levy of an ad valorem tax at a millage rate less than a  
12          millage rate previously approved by referendum; providing  
13          an effective date.

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

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17           Section 1. Sections 8, 11, and 15 of section 1 of chapter  
18   2000-426, Laws of Florida, as amended by chapters 2002-352 and  
19   2007-288, Laws of Florida, are amended to read:

20           Section 8. Taxes; non-ad valorem assessments; impact fees;  
21   user charges; bond issuance.—

22           (1) The District shall also hold all powers, functions,  
23   and duties set forth in this Act and chapters 189, 191, and 197,  
24   Florida Statutes, as amended from time to time, including, but  
25   not limited to, ad valorem taxation, bond issuance, other  
26   revenue-raising capabilities, budget preparation and approval,  
27   liens and foreclosure of liens, use of tax deeds and tax  
28   certificates as appropriate for non-ad valorem assessments, and

29 | contractual agreements; however, an ad valorem tax levied by the  
 30 | Board for operating purposes, exclusive of debt service on  
 31 | bonds, may not exceed 5.5 ~~10~~ mills if approved by a majority  
 32 | vote of qualified electors of the district voting in a  
 33 | referendum election providing for such millage rate. The  
 34 | District may be financed by any method established in this Act,  
 35 | chapter 189, or chapter 191, Florida Statutes, as amended from  
 36 | time to time.

37 | (2) The methods for assessing and collecting non-ad  
 38 | valorem assessments, fees, or service charges shall be as set  
 39 | forth in chapter 170, chapter 189, chapter 191, or chapter 197,  
 40 | Florida Statutes, as amended from time to time.

41 | Section 11. Annexation of territories by municipalities.—

42 | (1) For the purposes and requirements of this act, after  
 43 | the annexation by a municipality of any unincorporated area  
 44 | within the Lealman Special Fire Control District, the annexed  
 45 | area shall be treated as lying within the corporate boundaries  
 46 | of the annexing municipality and shall not be subject to a levy  
 47 | of the ad valorem tax that is authorized by this act.

48 | (2) Notwithstanding any other provision of law, a  
 49 | municipality may not annex any unincorporated territory situated  
 50 | within the Lealman Special Fire Control District, except an area  
 51 | defined as an enclave pursuant to section 171.031(13), Florida  
 52 | Statutes, unless the annexation is of all of the territory of  
 53 | the district and the annexation is approved by a majority vote  
 54 | of the electors of the district voting in a referendum called  
 55 | for that purpose. This subsection expires May 1, 2016.

56 | Section 15. Referendum.—

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57        (1) The provisions of section 8 which authorize the levy  
58 of ad valorem taxation shall take effect only upon express  
59 approval by a majority vote of those qualified electors of the  
60 district, as required by Section 9, Article VII, of the State  
61 Constitution, voting in a referendum to be held in conjunction  
62 with the next general election. Such election shall be held in  
63 accordance with the provisions of law relating to elections  
64 currently in force in the district.

65        (2) This act does not require a referendum to approve the  
66 levy of an ad valorem tax at a millage rate less than a millage  
67 rate previously approved by referendum pursuant to this act.

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