

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1033 (2012)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER

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1 Committee/Subcommittee hearing bill: Community & Military  
2 Affairs Subcommittee  
3 Representative Ahern offered the following:  
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Sections 8 and 15 of chapter 2000-426, Laws of  
8 Florida, as amended by chapter 2007-288, Laws of Florida, are  
9 amended to read:

10 Section 8. Taxes; non-ad valorem assessments; impact fees;  
11 user charges; bond issuance.-

12 (1) The District shall also hold all powers, functions,  
13 and duties set forth in this Act and chapters 189, 191, and 197,  
14 Florida Statutes, as amended from time to time, including, but  
15 not limited to, ad valorem taxation, bond issuance, other  
16 revenue-raising capabilities, budget preparation and approval,  
17 liens and foreclosure of liens, use of tax deeds and tax  
18 certificates as appropriate for non-ad valorem assessments, and  
19 contractual agreements; however, an ad valorem tax levied by the

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20 Board for operating purposes, exclusive of debt service on  
21 bonds, may not exceed 5.75 ~~10~~ mills if approved by a majority  
22 vote of qualified electors of the district voting in a  
23 referendum election providing for such millage rate. The  
24 District may be financed by any method established in this Act,  
25 chapter 189, or chapter 191, Florida Statutes, as amended from  
26 time to time.

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

31 Section 11. Annexation of territories by municipalities.-

32 (1) For the purposes and requirements of this Act, after  
33 the annexation by a municipality of any unincorporated area  
34 within the Lealman Special Fire Control District, the annexed  
35 area shall be treated as lying within the corporate boundaries  
36 of the annexing municipality and shall not be subject to a levy  
37 of the ad valorem tax that is authorized by this Act.

38 (2) Notwithstanding section 171.093, Florida Statutes, if  
39 a municipality annexes any unincorporated territory situated  
40 within the defined boundaries of the District from the effective  
41 date of this Act until July 1, 2016, the District shall continue  
42 as the primary provider of fire, rescue and emergency medical  
43 services for the annexed territory. Any municipality that  
44 annexes such territory may levy any applicable taxes,  
45 assessments, or fees on the annexed territory but must, by May 1  
46 of each subsequent year after such annexation, pay the District  
47 for its services in an amount equal to the amount of taxes,

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Published On: 2/6/2012 6:33:20 PM

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48 assessments, or fees which would have been collected by the  
49 District from the annexed territory during that year had the  
50 territory not been annexed, using the millage rate in effect on  
51 the effective date of this act, or any lower rate that may be  
52 levied by the District. Such payments shall continue in  
53 perpetuity unless the District is relieved of all fire, rescue  
54 or emergency medical service responsibility in the annexed  
55 territory, with the exception of an isolated response to a local  
56 or area-wide disaster such as a hazardous material incident,  
57 tornado, hurricane or major fire. If litigation is required to  
58 enforce the provisions of this Act, the prevailing party shall  
59 be entitled to an award of attorney fees and costs. This  
60 subsection shall not apply to annexations of unincorporated  
61 territory situated within the defined boundaries of the District  
62 after July 1, 2016.

63  
64 Section 2. This act shall take effect upon becoming a law.  
65  
66

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68 **T I T L E A M E N D M E N T**

69 Remove lines 6-7 and insert:

70 A bill to be entitled  
71 An act relating to the Lealman Special Fire Control District,  
72 Pinellas County; amending chapter 2000-426, Laws of Florida, as  
73 amended; lowering the millage rate for the district; providing  
74 for future annexation; providing an effective date.  
75