

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Caldwell offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 44 and 45, insert:

5 Section 1. Section 170.01, Florida Statutes, is amended to
6 read:

7 170.01 Authority for providing improvements and levying
8 and collecting special assessments against property benefited.-

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

11 (a) Provide for the construction, reconstruction, repair,
12 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

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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
42 parks and other public recreational facilities and improvements,
43 including appurtenances thereto;

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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) Provide for the payment of all or any part of the
54 costs of any such improvements by levying and collecting special
55 assessments on the abutting, adjoining, contiguous, or other
56 specially benefited property.

57
58 However, offstreet parking facilities, parking garages, or other
59 similar facilities and mass transportation systems must be
60 approved by ~~vote~~ of a majority vote of the affected property
61 owners voting in an election. Any municipality which is legally
62 obligated for providing capital improvements for water,
63 alternative water supplies, including, but not limited to,
64 reclaimed water, water from aquifer storage and recovery, and
65 desalination systems, or sewer facilities within an
66 unincorporated area of the county may recover the costs of the
67 capital improvements by levying and collecting special
68 assessments for the purposes authorized in this section on the
69 specially benefited property; however, collections of the
70 special assessment shall not take place until the specially
71 benefited property connects to the capital improvement.

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72 (2) Special assessments may be levied only for the
 73 purposes enumerated in this section and shall be levied only on
 74 benefited real property at a rate of assessment based on the
 75 special benefit accruing to such property from such improvements
 76 when the improvements funded by the special assessment provide a
 77 benefit which is different in type or degree from benefits
 78 provided to the community as a whole.

79 (3) Any municipality, subject to the approval by ~~of~~ a
 80 majority vote of the affected property owners voting in an
 81 election, may levy and collect special assessments against
 82 property benefited for the purpose of stabilizing and improving:

- 83 (a) Retail business districts,
- 84 (b) Wholesale business districts, or
- 85 (c) Nationally recognized historic districts,

86
 87 or any combination of such districts, through promotion,
 88 management, marketing, and other similar services in such
 89 districts of the municipality. This subsection does not
 90 authorize a municipality to use bond proceeds to fund ongoing
 91 operations of these districts.

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

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 96 Between lines 2 and 3, insert:
 97 170.01, F.S.; clarifying that certain assessments must be
 98 approved by a majority vote of certain voting electors; amending
 99 s.

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