

Amendment No. 1

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WITHDRAWN _____ (Y/N)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 _____

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

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (d) of subsection (2) of section
8 163.2511, Florida Statutes, is amended to read:

9 163.2511 Urban infill and redevelopment.-

10 (2) It is declared that:

11 (d) State urban policies should guide the state, regional
12 agencies, local governments, and the private sector in
13 preserving and redeveloping existing urban cores and promoting
14 the adequate provision of infrastructure, human services,
15 neighborhood improvement ~~safe neighborhoods~~, educational
16 facilities, and economic development to sustain these cores into
17 the future.

18 Section 2. Paragraph (c) of subsection (3) of section
19 163.2517, Florida Statutes, is amended to read:

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20 163.2517 Designation of urban infill and redevelopment
21 area.—

22 (3) A local government seeking to designate a geographic
23 area within its jurisdiction as an urban infill and
24 redevelopment area shall prepare a plan that describes the
25 infill and redevelopment objectives of the local government
26 within the proposed area. In lieu of preparing a new plan, the
27 local government may demonstrate that an existing plan or
28 combination of plans associated with a community redevelopment
29 area, Florida Main Street program, Front Porch Florida
30 Community, sustainable community, enterprise zone, or
31 neighborhood improvement district includes the factors listed in
32 paragraphs (a)-(n), including a collaborative and holistic
33 community participation process, or amend such existing plans to
34 include these factors. The plan shall demonstrate the local
35 government and community's commitment to comprehensively address
36 the urban problems within the urban infill and redevelopment
37 area and identify activities and programs to accomplish locally
38 identified goals such as code enforcement; improved educational
39 opportunities; reduction in crime; neighborhood revitalization
40 and preservation; provision of infrastructure needs, including
41 mass transit and multimodal linkages; and mixed-use planning to
42 promote multifunctional redevelopment to improve both the
43 residential and commercial quality of life in the area. The plan
44 shall also:

45 (c) Identify and map existing enterprise zones, community
46 redevelopment areas, community development corporations,
47 brownfield areas, downtown redevelopment districts, ~~safe~~

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48 neighborhood improvement districts, historic preservation
49 districts, and empowerment zones or enterprise communities
50 located within the area proposed for designation as an urban
51 infill and redevelopment area and provide a framework for
52 coordinating infill and redevelopment programs within the urban
53 core.

54 Section 3. Paragraph (a) of subsection (6) of section
55 163.3182, Florida Statutes, is amended to read:

56 163.3182 Transportation deficiencies.—

57 (6) EXEMPTIONS.—

58 (a) The following public bodies or taxing authorities are
59 exempt from this section:

60 1. A special district that levies ad valorem taxes on
61 taxable real property in more than one county.

62 2. A special district for which the sole available source
63 of revenue is the authority to levy ad valorem taxes at the time
64 an ordinance is adopted under this section. However, revenues or
65 aid that may be dispensed or appropriated to a district as
66 defined in s. 388.011 at the discretion of an entity other than
67 such district are not deemed available.

68 3. A library district.

69 4. A neighborhood improvement district created under the
70 ~~Safe~~ Neighborhoods Improvement Act.

71 5. A metropolitan transportation authority.

72 6. A water management district created under s. 373.069.

73 7. A community redevelopment agency.

74 Section 4. Paragraph (e) of subsection (2) of section
75 163.3246, Florida Statutes, is amended to read:

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76 163.3246 Local government comprehensive planning
77 certification program.-

78 (2) In order to be eligible for certification under the
79 program, the local government must:

80 (e) Demonstrate that it has adopted programs in its local
81 comprehensive plan and land development regulations which:

82 1. Promote infill development and redevelopment, including
83 prioritized and timely permitting processes in which
84 applications for local development permits within the
85 certification area are acted upon expeditiously for proposed
86 development that is consistent with the local comprehensive
87 plan.

88 2. Promote the development of housing for low-income and
89 very-low-income households or specialized housing to assist
90 elderly and disabled persons to remain at home or in independent
91 living arrangements.

92 3. Achieve effective intergovernmental coordination and
93 address the extrajurisdictional effects of development within
94 the certified area.

95 4. Promote economic diversity and growth while encouraging
96 the retention of rural character, where rural areas exist, and
97 the protection and restoration of the environment.

98 5. Provide and maintain public urban and rural open space
99 and recreational opportunities.

100 6. Manage transportation and land uses to support public
101 transit and promote opportunities for pedestrian and
102 nonmotorized transportation.

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103 7. Use design principles to foster individual community
104 identity, create a sense of place, and promote pedestrian-
105 oriented ~~safe~~ neighborhoods and town centers.

106 8. Redevelop blighted areas.

107 9. Adopt a local mitigation strategy and have programs to
108 improve disaster preparedness and the ability to protect lives
109 and property, especially in coastal high-hazard areas.

110 10. Encourage clustered, mixed-use development that
111 incorporates greenspace and residential development within
112 walking distance of commercial development.

113 11. Encourage urban infill at appropriate densities and
114 intensities and separate urban and rural uses and discourage
115 urban sprawl while preserving public open space and planning for
116 buffer-type land uses and rural development consistent with
117 their respective character along and outside the certification
118 area.

119 12. Assure protection of key natural areas and
120 agricultural lands that are identified using state and local
121 inventories of natural areas. Key natural areas include, but are
122 not limited to:

123 a. Wildlife corridors.

124 b. Lands with high native biological diversity, important
125 areas for threatened and endangered species, species of special
126 concern, migratory bird habitat, and intact natural communities.

127 c. Significant surface waters and springs, aquatic
128 preserves, wetlands, and outstanding Florida waters.

129 d. Water resources suitable for preservation of natural
130 systems and for water resource development.

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131 e. Representative and rare native Florida natural systems.

132 13. Ensure the cost-efficient provision of public
133 infrastructure and services.

134 Section 5. Paragraph (c) of subsection (2) of section
135 163.387, Florida Statutes, is amended to read:

136 163.387 Redevelopment trust fund.—

137 (2)

138 (c) The following public bodies or taxing authorities are
139 exempt from paragraph (a):

140 1. A special district that levies ad valorem taxes on
141 taxable real property in more than one county.

142 2. A special district for which the sole available source
143 of revenue the district has the authority to levy is ad valorem
144 taxes at the time an ordinance is adopted under this section.
145 However, revenues or aid that may be dispensed or appropriated
146 to a district as defined in s. 388.011 at the discretion of an
147 entity other than such district shall not be deemed available.

148 3. A library district, except a library district in a
149 jurisdiction where the community redevelopment agency had
150 validated bonds as of April 30, 1984.

151 4. A neighborhood improvement district created under the
152 ~~Safe~~ Neighborhoods Improvement Act.

153 5. A metropolitan transportation authority.

154 6. A water management district created under s. 373.069.

155 Section 6. Section 163.501, Florida Statutes, is amended
156 to read:

157 163.501 Short title.—This part may be cited as the "~~Safe~~
158 Neighborhoods Improvement Act."

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159 Section 7. Section 163.502, Florida Statutes, is amended
160 to read:

161 163.502 ~~Safe~~ Neighborhoods improvement; legislative
162 findings and purpose.—

163 (1) The Legislature ~~hereby~~ finds and declares that among
164 the many causes of deterioration in the business and residential
165 neighborhoods of the state are the following: proliferation of
166 crime, automobile traffic flow strangled by outmoded street
167 patterns, unsuitable topography, faulty lot layouts,
168 fragmentation of land uses and parking areas necessitating
169 frequent automobile movement, lack of separation of pedestrian
170 areas from automobile traffic, lack of separation of vehicle
171 traffic lanes and railroad traffic, ~~and~~ excessive noise levels
172 from automobile traffic, and lack of adequate public
173 improvements such as streets, street lights, street furniture,
174 street landscaping, sidewalks, traffic signals, way-finding
175 signs, mass transit, stormwater systems, and other public
176 utilities and improvements.

177 (2) The Legislature further finds and declares that
178 healthy and vibrant ~~safe~~ neighborhoods are the product of
179 planning and implementation of appropriate environmental design
180 concepts, comprehensive planning ~~crime prevention programs~~, land
181 use recommendations, and beautification techniques.

182 (3) The Legislature further finds and declares that the
183 provisions of this part and the powers granted to local
184 governments, property owners' associations, special dependent
185 districts, and community redevelopment neighborhood improvement
186 districts are desirable to guide and accomplish the coordinated,

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187 balanced, and harmonious development of healthy and vibrant ~~safe~~
188 neighborhoods; to promote the health, ~~safety,~~ and general
189 welfare of these areas and their inhabitants, visitors, property
190 owners, and workers; to establish, maintain, and preserve
191 property values and preserve and foster the development of
192 attractive neighborhood and business environments; to prevent
193 ~~overcrowding and congestion; and~~ to improve or redirect
194 automobile traffic and provide pedestrian safety; ~~to reduce~~
195 ~~crime rates and the opportunities for the commission of crime;~~
196 ~~and to provide improvements in neighborhoods so they are~~
197 ~~defensible against crime.~~

198 (4) It is the intent of the Legislature to assist local
199 governments in implementing plans that improve the ~~employ crime~~
200 ~~prevention through community policing innovations, environmental~~
201 ~~design, environmental security, and defensible space techniques~~
202 ~~to establish safe neighborhoods~~ of this state. The Legislature,
203 therefore, declares that the development, redevelopment,
204 preservation, and revitalization of neighborhoods in this state,
205 and all the purposes of this part, are public purposes for which
206 public money may be borrowed, expended, loaned, and granted.

207 Section 8. Section 163.503, Florida Statutes, is amended
208 to read:

209 163.503 ~~Safe neighborhoods;~~ Definitions.-

210 (1) "~~Safe~~ Neighborhood improvement district," "district,"
211 or "neighborhood improvement district" means a district located
212 in an area in which more than 75 percent of the land is used for
213 residential purposes, or in an area in which more than 75
214 percent of the land is used for commercial, office, business, or

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215 industrial purposes, excluding the land area used for public
216 facilities, ~~and where there is a plan to reduce crime through~~
217 ~~the implementation of crime prevention through environmental~~
218 ~~design, environmental security, or defensible space techniques,~~
219 ~~or through community policing innovations.~~ Nothing in This
220 section does not ~~shall~~ preclude the inclusion of public land in
221 a neighborhood improvement district although the amount of land
222 used for public facilities is excluded from the land use acreage
223 calculations.

224 (2) "Association" means a property owners' association
225 which is incorporated for the purpose of creating and operating
226 a neighborhood improvement district.

227 (3) "Department" means the Department of Economic
228 Opportunity ~~Legal Affairs~~.

229 (4) "Board" means the board of directors of a neighborhood
230 improvement district, which may be the governing body of a
231 municipality or county or the officers of a property owners'
232 association or the board of directors of a special neighborhood
233 improvement district or community redevelopment neighborhood
234 improvement district.

235 ~~(5) "Environmental security" means an urban planning and~~
236 ~~design process which integrates crime prevention with~~
237 ~~neighborhood design and community development.~~

238 ~~(6) "Crime prevention through environmental design" means~~
239 ~~the planned use of environmental design concepts such as natural~~
240 ~~access control, natural surveillance, and territorial~~
241 ~~reinforcement in a neighborhood or community setting which is~~

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242 ~~designed to reduce criminal opportunity and foster positive~~
243 ~~social interaction among the legitimate users of that setting.~~

244 ~~(7) "Defensible space" means an architectural perspective~~
245 ~~on crime prevention through physical design of the environment~~
246 ~~to create the ability to monitor and control the environment~~
247 ~~along individual perceived zones of territorial influence that~~
248 ~~result in a proprietary interest and a felt responsibility.~~

249 ~~(8) "Enterprise zone" means an area designated pursuant to~~
250 ~~s. 290.0065.~~

251 ~~(9) "Community policing innovation" means techniques or~~
252 ~~strategies as defined by s. 163.340.~~

253 Section 9. Section 163.5035, Florida Statutes, is amended
254 to read:

255 163.5035 ~~Safe~~ Neighborhood improvement districts;
256 compliance with special district provisions.—Any special
257 district created pursuant to this part shall comply with all
258 applicable provisions contained in chapter 189. In cases where a
259 provision contained in this part conflicts with a provision in
260 chapter 189, the provision in chapter 189 shall prevail.

261 Section 10. Section 163.504, Florida Statutes, is amended
262 to read:

263 163.504 ~~Safe~~ Neighborhood improvement districts; ~~planning~~
264 ~~funds.~~—

265 ~~(1)~~ The governing body of any municipality or county may
266 authorize the formation of ~~safe~~ neighborhood improvement
267 districts through the adoption of an a ~~planning~~ ordinance that
268 ~~which~~ specifies that such districts may be created by one or
269 more of the methods established in ss. 163.506, 163.508,

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270 163.511, and 163.512. A ~~No~~ district may not overlap the
271 jurisdictional boundaries of a municipality and the
272 unincorporated area of a county, unless approved ~~except~~ by
273 interlocal agreement.

274 ~~(2) If the governing body of a municipality or county~~
275 ~~elects to create a safe neighborhood improvement district, it~~
276 ~~shall be eligible to request a grant from the Safe Neighborhoods~~
277 ~~Program, created pursuant to s. 163.517 and administered by the~~
278 ~~Department of Legal Affairs, to prepare a safe neighborhood~~
279 ~~improvement plan for the district.~~

280 ~~(3) Municipalities and counties may implement the~~
281 ~~provisions of this section without planning funds from the~~
282 ~~Department of Legal Affairs. However, nothing in this section~~
283 ~~shall be construed to exempt any district from the requirements~~
284 ~~of providing a safe neighborhood improvement plan pursuant to s.~~
285 ~~163.516.~~

286 Section 11. Section 163.5055, Florida Statutes, is amended
287 to read:

288 163.5055 Notice Registration of district establishment;
289 notice of dissolution.-

290 (1)(a) Each neighborhood improvement district authorized
291 and established under this part shall within 30 days thereof
292 notify register with both the Department of Economic Opportunity
293 Community Affairs and the Department of Legal Affairs by
294 providing the department ~~these departments~~ with the district's
295 name, location, size, and type, and such other information as
296 the department ~~departments~~ may request ~~require~~.

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297 ~~(2)(b)~~ Each local governing body that ~~which~~ authorizes the
298 dissolution of a district shall notify ~~both~~ the Department of
299 Economic Opportunity Community Affairs ~~and the Department of~~
300 ~~Legal Affairs~~ within 30 days after the dissolution of the
301 district.

302 ~~(2) This section shall apply to all neighborhood~~
303 ~~improvement districts established on or after July 1, 1987.~~

304 Section 12. Section 163.506, Florida Statutes, is amended
305 to read:

306 163.506 Local government neighborhood improvement
307 districts; creation; advisory council; dissolution.—

308 (1) After an ~~a local planning~~ ordinance has been adopted
309 authorizing the creation of local government neighborhood
310 improvement districts, the local governing body of a
311 municipality or county may create local government neighborhood
312 improvement districts by the enactment of a separate ordinance
313 for each district, ~~which ordinance:~~

314 (a) Specifies the boundaries, size, and name of the
315 district.

316 (b) Authorizes the district to receive grants ~~a planning~~
317 ~~grant from the department.~~

318 (c) Authorizes the local government neighborhood
319 improvement district to levy an ad valorem tax on real and
320 personal property of up to 2 mills annually.

321 (d) Authorizes the use of special assessments to support
322 planning and implementation of district improvements pursuant to
323 the provisions of s. 163.514(16), if the district is a

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324 residential local government neighborhood improvement district
325 ~~including community policing innovations.~~

326 (e) Designates the local governing body as the board of
327 directors of the district.

328 (f) Establishes an advisory council to the board of
329 directors comprised of property owners, representatives of
330 property owners, business owners, or residents of the district.

331 (g) May prohibit the use of any district power authorized
332 by s. 163.514.

333 (h) Requires the district to notify the ~~Department of~~
334 ~~Legal Affairs and the~~ Department of Economic Opportunity
335 ~~Community Affairs~~ in writing of its establishment within 30 days
336 thereof pursuant to s. 163.5055.

337 (i) Authorizes the district to borrow money, contract
338 loans, and issue bonds, certificates, warrants, notes, or other
339 evidence of indebtedness from time to time to finance the
340 undertaking of any capital or other project for the purposes
341 permitted by the State Constitution and this part and pledge the
342 funds, credit, property, and taxing power of the improvement
343 district for the payment of such debts and bonds.

344 1. Bonds issued under this part shall be authorized by
345 resolution of the governing board of the district and, if
346 required by the State Constitution, by affirmative vote of the
347 electors of the district. Such bonds may be issued in one or
348 more series and shall bear such date or dates, be payable upon
349 demand or mature at such time or times, bear interest at such
350 rate or rates, be in such denomination or denominations, be in
351 such form, registered or not, with or without coupon, carry such

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352 conversion or registration privileges, have such rank or
353 priority, be executed in such manner, be payable in such medium
354 of payment, at such place or places, and subject to such terms
355 of redemption, with or without premium, be secured in such
356 manner, and have such other characteristics as may be provided
357 by such resolution or trust indenture or mortgage issued
358 pursuant thereto.

359 2. The governing body of the district shall determine the
360 terms and manner of sale and distribution or other disposition
361 of any and all bonds it may issue, consistent with s. 218.385,
362 and shall have any and all powers necessary and convenient to
363 such disposition.

364 3. The governing body of the district may establish and
365 administer such sinking funds as it deems necessary or
366 convenient for the payment, purchase, or redemption of any
367 outstanding bonded indebtedness of the district.

368 4. The governing body of the improvement district may levy
369 ad valorem taxes upon real and tangible personal property within
370 the district as it deems necessary to make payment, including
371 principal and interest, upon the general obligation and ad
372 valorem bonded indebtedness of the district or into any sinking
373 fund created pursuant to this part.

374 5. This part shall be full authority for the issuance of
375 bonds authorized herein.

376 (j) Authorizes the district to make and collect special
377 assessments pursuant to ss. 197.3632 and 197.3635 to pay for
378 capital improvements within the district and for reasonable
379 expenses of operating the district, including the payment of

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380 expenses included in the district's budget, if the district is a
381 commercial local government neighborhood improvement district.
382 Such assessments may not exceed \$500 for each individual parcel
383 of land per year.

384 (k) Authorizes the district to charge, collect, and
385 enforce fees and other user charges.

386 (l) Conditions the exercise of the powers provided in
387 paragraphs (c), (i), and (j) on approval pursuant to a
388 referendum as described in this paragraph:

389 1. Within 45 days after the date the governing body of the
390 municipality or county enacts an ordinance calling a referendum
391 pursuant to this subsection, the city clerk or the supervisor of
392 elections, whichever is appropriate, shall certify such
393 ordinance and compile a list of the names and last known
394 addresses of the freeholders in the proposed local government
395 neighborhood improvement district from the tax assessment roll
396 of the county applicable as of December 31 in the year preceding
397 the year in which the ordinance was enacted. Except as otherwise
398 provided in this paragraph, the list shall constitute the
399 registration list for the purposes of the freeholders'
400 referendum required under this paragraph.

401 2. Within 45 days after compilation of the freeholders'
402 registration list pursuant to subparagraph 1., the city clerk or
403 the supervisor of elections shall notify each such freeholder of
404 the general provisions of this paragraph, including the taxing
405 authority and the date of the upcoming referendum, and the
406 method provided for submitting corrections to the registration
407 list if the status of the freeholder has changed since the

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408 compilation of the tax rolls. Notification shall be by first-
409 class United States mail and, in addition thereto, by
410 publication one time in a newspaper of general circulation in
411 the county or municipality in which the district is located.

412 3. Any freeholder whose name does not appear on the tax
413 rolls compiled pursuant to subparagraph 1. may register to vote
414 with the city clerk or the supervisor of elections. The
415 registration list shall remain open for 75 days after enactment
416 of the ordinance calling for the referendum.

417 4. Within 15 days after the closing of the registration
418 list, the city clerk or the supervisor of elections shall send a
419 ballot to each registered freeholder at his or her last known
420 mailing address by first-class United States mail. The ballot
421 shall include:

422 a. A description of the general provisions of this
423 paragraph applicable to local government neighborhood
424 improvement districts;

425 b. The assessed value of the freeholder's property;

426 c. The percent of the freeholder's interest in such
427 property; and

428 d. Immediately following the information required in sub-
429 paragraphs a.-c., the following:

430

431 "Do you favor authorizing the Local Government
432 Neighborhood Improvement District to levy up to 2 mills of ad
433 valorem taxes by such proposed district?

434

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435Yes, for authorizing the levy of up to 2 mills of ad
436 valorem taxes by such proposed district.

437
438No, against authorizing the levy of up to 2 mills of ad
439 valorem taxes by such proposed district."

440
441 "Do you favor authorizing the Local Government
442 Neighborhood Improvement District to borrow money, including the
443 issuance of bonds, as provided by s. 163.506(1) (i)?

444
445Yes, for authorizing the borrowing of money for
446 district purposes.

447
448No, against authorizing the borrowing of money for
449 district purposes."

450
451 "Do you favor authorizing the Local Government
452 Neighborhood Improvement District to impose a special assessment
453 of not greater than \$500 for each individual parcel of land per
454 year to pay for the expenses of operating the neighborhood
455 improvement district and for approved capital improvements?

456
457Yes, for the special assessment.

458
459No, against the special assessment."

460
461 5. Ballots shall be returned by first-class United States
462 mail or by personal delivery.

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463 6. All ballots received within 120 days after enactment of
464 the ordinance shall be tabulated by the city clerk or the
465 supervisor of elections, who shall certify the results thereof
466 to the city council or county commission no later than 5 days
467 after the 120-day period.

468 7. The freeholders shall be deemed to have approved of the
469 provisions of this paragraph at such time as the city clerk or
470 the supervisor of elections certifies to the governing body of
471 the municipality or county that approval has been given by
472 freeholders owning in excess of 50 percent of the assessed value
473 of the properties represented by ballots cast.

474 8. The city clerk or the supervisor of elections,
475 whichever is appropriate, shall enclose with each ballot sent
476 pursuant to this paragraph two envelopes: a secrecy envelope,
477 into which the freeholder shall enclose the marked ballot; and a
478 mailing envelope, into which the freeholder shall then place the
479 secrecy envelope, which shall be addressed to the city clerk or
480 the supervisor of elections. The back side of the mailing
481 envelope shall bear a certificate in substantially the following
482 form:

483
484 NOTE: PLEASE READ INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT
485 AND COMPLETING VOTER'S CERTIFICATE.

486
487 VOTER'S CERTIFICATE

488
489 I,, am a duly qualified and registered freeholder of
490 the proposed ... (name) ... local government neighborhood

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491 improvement district; and I am entitled to vote this ballot. I
492 do solemnly swear or affirm that I have not and will not vote
493 more than one ballot in this election. I understand that failure
494 to sign this certificate and have my signature witnessed will
495 invalidate my ballot.

496
497 ...(Voter's Signature)...

498
499 NOTE: YOUR SIGNATURE MUST BE WITNESSED BY ONE WITNESS 18
500 YEARS OF AGE OR OLDER AS PROVIDED IN THE INSTRUCTION SHEET.

501 I swear or affirm that the elector signed this voter's
502 certificate in my presence.

503
504 ...(Signature of Witness)...

505 ...(Address)...(City/State)...

506
507 9. The certificate shall be arranged on the back of the
508 mailing envelope so that the lines for the signatures of the
509 freeholder and the attesting witness are across the seal of the
510 envelope; however, no statement shall appear on the envelope
511 which indicates that a signature of the freeholder or witness
512 must cross the seal of the envelope. The freeholder and the
513 attesting witness shall execute the certificate on the envelope.

514 10. The city clerk or the supervisor of elections shall
515 enclose with each ballot sent to a freeholder pursuant to this
516 paragraph separate printed instructions in substantially the
517 following form:

518
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519 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

520
521 a. VERY IMPORTANT. In order to ensure that your ballot
522 will be counted, it should be completed and returned as soon as
523 possible so that it can reach the city clerk or the supervisor
524 of elections no later than 7 p.m. on the (final day of the 120-
525 day period given here).

526 b. Mark your ballot in secret as instructed on the ballot.

527 c. Place your marked ballot in the enclosed secrecy
528 envelope.

529 d. Insert the secrecy envelope into the enclosed mailing
530 envelope, which is addressed to the city clerk or the supervisor
531 of elections.

532 e. Seal the mailing envelope and completely fill out the
533 Voter's Certificate on the back of the mailing envelope.

534 f. VERY IMPORTANT. Sign your name on the line provided for
535 "(Voter's Signature)."

536 g. VERY IMPORTANT. In order for your ballot to be counted,
537 it must include the signature and address of a witness 18 years
538 of age or older affixed to the Voter's Certificate.

539 h. Mail, deliver, or have delivered the completed mailing
540 envelope. Be sure there is sufficient postage if mailed.

541 (2) The advisory council shall perform such duties as may
542 be prescribed by the governing body and shall submit within the
543 time period specified by the governing body, acting as the board
544 of directors, a report on the district's activities and a
545 proposed budget to accomplish its objectives. In formulating a
546 plan for services or improvements the advisory board shall

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547 consult in public session with the appropriate staff or
548 consultants of the local governing body ~~responsible for the~~
549 ~~district's plan.~~

550 ~~(3) As an alternative to designating the local governing~~
551 ~~body as the board of directors, a majority of the local~~
552 ~~governing body of a city or county may appoint a board of three~~
553 ~~to seven directors for the district who shall be residents of~~
554 ~~the proposed area and who are subject to ad valorem taxation in~~
555 ~~the residential neighborhood improvement district or who are~~
556 ~~property owners in a commercial neighborhood improvement~~
557 ~~district. The directors shall be appointed for staggered terms~~
558 ~~of 3 years. The initial appointments shall be as follows: one~~
559 ~~director for a 1-year term; one director for a 2-year term; and~~
560 ~~one director for a 3-year term. If more than three directors are~~
561 ~~to be appointed, the additional members shall initially be~~
562 ~~appointed for 3-year terms. Vacancies shall be filled for the~~
563 ~~unexpired portion of a term in the same manner as the initial~~
564 ~~appointments were made. Each director shall hold office until~~
565 ~~his or her successor is appointed and qualified unless the~~
566 ~~director ceases to be qualified or is removed from office. Upon~~
567 ~~appointment and qualification and in January of each year, the~~
568 ~~directors shall organize by electing from their number a chair~~
569 ~~and a secretary.~~

570 ~~(3)(4)~~ A district may be dissolved by the governing body
571 by rescinding the ordinance creating the district. The governing
572 body may rescind ~~shall consider rescinding~~ the ordinance if
573 presented with a petition requesting that it be rescinded.
574 Petitions related to a residential neighborhood improvement

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575 district must contain ~~containing~~ the signatures of 60 percent of
576 the residents. Petitions related to a commercial neighborhood
577 improvement district must contain signatures representing owners
578 of 60 percent of the land area of the ~~of a~~ district.

579 Section 13. Section 163.508, Florida Statutes, is amended
580 to read:

581 163.508 Property owners' association neighborhood
582 improvement districts; creation; powers and duties; duration.—

583 (1) After an ~~a local planning~~ ordinance has been adopted
584 authorizing the creation of property owners' association
585 neighborhood improvement districts, the local governing body of
586 a municipality or county may create property owners' association
587 neighborhood improvement districts by the enactment of a
588 separate ordinance for each district, ~~which ordinance:~~

589 (a) Establishes that an incorporated property owners'
590 association representing 75 percent of all owners of property
591 within a proposed district meeting the requirements of this
592 section has petitioned the governing body of the municipality or
593 county for creation of a district for the area encompassed by
594 the property owned by members of the association.

595 (b) Specifies the boundaries, size, and name of the
596 district.

597 (c) Authorizes the governing body through mutual agreement
598 with the property owners' association to:

599 1. Request grants ~~a matching grant from the state's Safe~~
600 ~~Neighborhoods Program to prepare the first year's safe~~
601 ~~neighborhood improvement plan. The provider of the local match~~
602 ~~for the state grant shall be mutually agreed upon between the~~

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603 ~~governing body and the property owners' association. The~~
604 ~~governing body may agree to provide the match as a no-interest-~~
605 ~~bearing loan to be paid back from assessments imposed by the~~
606 ~~association on its members or shareholders.~~

607 2. Provide staff and other technical assistance to the
608 property owners' association on a mutually agreed-upon basis,
609 contractual or otherwise.

610 ~~3. Prepare the first year's safe neighborhood improvement~~
611 ~~plan, which shall comply with and be consistent with the~~
612 ~~governing body's adopted comprehensive plan.~~

613 (d) Provides for an audit of the property owners'
614 association.

615 (e) Designates the officers of the incorporated property
616 owners' association as the board of directors of the district.

617 (f) May prohibit the use of any district power authorized
618 by s. 163.514.

619 (g) Requires the district to notify the ~~Department of~~
620 ~~Legal Affairs and the~~ Department of Economic Opportunity
621 ~~Community Affairs~~ in writing of its establishment within 30 days
622 thereof pursuant to s. 163.5055.

623 (2) In order to qualify for the creation of a neighborhood
624 improvement district, the property owners shall form an
625 association in compliance with this section, or use an existing
626 property owners' association in compliance with this section,
627 which shall be a corporation, ~~for profit or not for profit. At~~
628 ~~least, and of which not less than~~ 75 percent of all property
629 owners within the proposed area must consent ~~have consented~~ in
630 writing to become members ~~or shareholders~~. Upon such consent by

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631 75 percent of the property owners in the proposed district, all
632 consenting property owners and their successors shall become
633 members of the association and shall be bound by the provisions
634 of the articles of incorporation, the bylaws of the association,
635 the covenants, the deed restrictions, the indentures, and any
636 other properly promulgated restrictions. The association shall
637 have no member ~~or shareholder~~ who is not a bona fide owner of
638 property within the proposed district. Upon receipt of its
639 certificate of incorporation, the property owners' association
640 shall notify the clerk of the city or county court, whichever is
641 appropriate, in writing, of such incorporation and shall list
642 the names and addresses of the officers of the association.

643 (3) Any incorporated property owners' association
644 operating pursuant to this part has ~~shall have~~ the power:

645 (a) To negotiate with the governing body of a municipality
646 or county for closing, privatizing, or modifying the rights-of-
647 way, and appurtenances thereto, within the district.

648 (b) To use ~~utilize~~ various legal instruments such as
649 covenants, deed restrictions, and indentures to preserve and
650 maintain the integrity of property, land, and rights-of-way
651 owned and conveyed to it within the district.

652 (c) To make and collect assessments against all property
653 within the boundaries of the district pursuant to the provisions
654 of s. 163.514(16) and to lease, maintain, repair, and
655 reconstruct any privatized street, land, or common area within
656 the district upon dedication thereof to the association.

657 (d) Without the joinder of any property owner, to modify,
658 move, or create any easement for ingress and egress or for the

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659 purpose of utilities, if such easement constitutes part of or
660 crosses district property. However, this does ~~shall~~ not
661 authorize the association to modify or move any easement that
662 ~~which~~ is created in whole or in part for the use or benefit of
663 anyone other than association members, or that ~~which~~ crosses the
664 property of anyone other than association members, without the
665 consent or approval of such person as required by law or by the
666 instrument creating the easement. Nothing in this paragraph
667 shall affect the rights of ingress or egress of any member of
668 the association.

669 (4) A property owners' association neighborhood
670 improvement district shall continue in perpetuity as long as the
671 property owners' association created pursuant to this section
672 exists under the applicable laws of the state.

673 Section 14. Subsections (1), (7), (8), and (10) of section
674 163.511, Florida Statutes, are amended to read:

675 163.511 Special neighborhood improvement districts;
676 creation; referendum; board of directors; duration; extension.-

677 (1) After an ~~a local planning~~ ordinance has been adopted
678 authorizing the creation of special neighborhood improvement
679 districts, the governing body of a municipality or county may
680 declare the need for and create special residential or business
681 neighborhood improvement districts by the enactment of a
682 separate ordinance for each district, ~~which ordinance:~~

683 (a) Conditions the implementation of the ordinance on the
684 approval of a referendum as provided in subsection (2).

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685 (b) Authorizes the special neighborhood improvement
686 district to levy an ad valorem tax on real and personal property
687 of up to 2 mills annually.

688 (c) Authorizes the use of special assessments to support
689 planning and implementation of district improvements pursuant to
690 the provisions of s. 163.514(16), ~~including community policing~~
691 ~~innovations.~~

692 (d) Specifies the boundaries, size, and name of the
693 district.

694 (e) Authorizes the district to receive a planning grant
695 from the department.

696 (f) Provides for the appointment of a 3-member board of
697 directors for the district.

698 (g) May authorize a special neighborhood improvement
699 district to exercise the power of eminent domain pursuant to
700 chapters 73 and 74. Any property identified for eminent domain
701 by the district shall be subject to the approval of the local
702 governing body before eminent domain procedures are exercised.

703 (h) May prohibit the use of any district power authorized
704 by s. 163.514.

705 (i) Requires the district to notify the ~~Department of~~
706 ~~Legal Affairs and the~~ Department of Economic Opportunity
707 ~~Community Affairs~~ in writing of its establishment within 30 days
708 thereof pursuant to s. 163.5055.

709 (j) May authorize a special neighborhood improvement
710 district to develop and implement community policing innovations
711 in consultation with the local law enforcement agency having
712 jurisdiction within the district boundaries.

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713 (7) The business and affairs of a special neighborhood
714 improvement district shall be conducted and administered by a
715 board of three directors who shall be residents of or property
716 owners within the proposed area and who are subject to ad
717 valorem taxation in the district. Upon their initial appointment
718 and qualification and in January of each year thereafter, the
719 directors shall organize by electing from their number a chair
720 and a secretary, and may also employ staff and legal
721 representatives as deemed appropriate, who shall serve at the
722 pleasure of the board and may receive such compensation as shall
723 be fixed by the board. The secretary shall keep a record of the
724 proceedings of the district and shall be custodian of all books
725 and records of the district. The directors may ~~shall~~ not receive
726 any compensation for their services, nor may they be employed by
727 the district.

728 (8) Within 30 days of the approval of the creation of a
729 special neighborhood improvement district, if the district is in
730 a municipality, ~~a majority of~~ the governing body of the
731 municipality, or if the district is in the unincorporated area
732 of the county, ~~a majority of~~ the county commission, shall
733 appoint the three directors provided for herein for staggered
734 terms of 3 years. The initial appointments shall be as follows:
735 one for a 1-year term, one for a 2-year term, and one for a 3-
736 year term. Each director shall hold office until his or her
737 successor is appointed and qualified unless the director ceases
738 to be qualified to act as a director or is removed from office.
739 Vacancies on the board shall be filled for the unexpired portion

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740 of a term in the same manner as the initial appointments were
741 made.

742 (10) The governing body of a municipality or county may
743 remove a director for inefficiency, neglect of duty, or
744 misconduct in office ~~only after a hearing and only if he or she~~
745 ~~has been given a copy of the charges at least 10 days prior to~~
746 ~~such hearing and has had an opportunity to be heard in person or~~
747 ~~by counsel~~. A vacancy so created shall be filled as provided
748 herein.

749 Section 15. Section 163.512, Florida Statutes, is amended
750 to read:

751 163.512 Community redevelopment neighborhood improvement
752 districts; creation; advisory council; dissolution.-

753 (1) Upon the recommendation of the community redevelopment
754 agency and after an ~~a local planning~~ ordinance has been adopted
755 authorizing the creation of community redevelopment neighborhood
756 improvement districts, the local governing body of a
757 municipality or county may create community redevelopment
758 neighborhood improvement districts by the enactment of a
759 separate ordinance for each district, ~~which ordinance:~~

760 (a) Specifies the boundaries, size, and name of the
761 district.

762 (b) Authorizes the district to receive grants ~~a planning~~
763 ~~grant from the department~~.

764 (c) Authorizes the use of the community redevelopment
765 trust fund created pursuant to s. 163.387 for the purposes of
766 implementing the district's ~~safe neighborhood~~ improvement plan
767 ~~and furthering crime prevention through community policing~~

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768 ~~innovations, environmental design, environmental security, and~~
769 ~~defensible space techniques, if the expenditures from the~~
770 ~~community redevelopment trust fund~~ are consistent with the
771 community redevelopment plan created pursuant to s. 163.360.

772 (d) Designates the community redevelopment board of
773 commissioners established pursuant to s. 163.356 or s. 163.357
774 as the board of directors for the district.

775 (e) Establishes an advisory council to the board of
776 directors comprised of property owners or residents of the
777 district.

778 (f) May prohibit the use of any district power authorized
779 by s. 163.514.

780 (g) Requires that the district's ~~safe~~ neighborhood
781 improvement plan be consistent with the community redevelopment
782 plan created pursuant to s. 163.360, and permits the ~~safe~~
783 neighborhood improvement plan to be included in the community
784 redevelopment plan as an optional element.

785 (h) Requires that the boundaries of the community
786 redevelopment district be contained in whole within the
787 community redevelopment area established pursuant to ss. 163.355
788 and 163.356.

789 (i) Requires the district to notify the ~~Department of~~
790 ~~Legal Affairs and the~~ Department of Economic Opportunity
791 ~~Community Affairs~~ in writing of its establishment within 30 days
792 thereof pursuant to s. 163.5055.

793 (2) The advisory council shall perform such duties as may
794 be prescribed by the community redevelopment board established
795 pursuant to s. 163.356 and shall submit within the time period

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796 specified by the board of directors a report on the district's
797 activities and a proposed budget to accomplish its objectives.
798 In formulating a plan for services or improvements, the advisory
799 council shall consult in public session with the appropriate
800 staff or consultants of the community redevelopment board
801 ~~responsible for the district's plan.~~

802 (3) A district may be dissolved by the local governing
803 body by rescinding the ordinance creating the district. The
804 governing body may rescind ~~shall consider rescinding~~ the
805 ordinance if presented with a petition containing the signatures
806 of 60 percent of the residents of a district.

807 Section 16. Section 163.513, Florida Statutes, is
808 repealed.

809 Section 17. Section 163.514, Florida Statutes, is amended
810 to read:

811 163.514 Powers of neighborhood improvement districts.—
812 Unless prohibited by ordinance, the board of any district is
813 ~~shall be~~ empowered to:

814 (1) Enter into contracts and agreements and sue and be
815 sued as a body corporate.

816 (2) Have and use a corporate seal.

817 (3) Acquire, own, convey, or otherwise dispose of, lease
818 as lessor or lessee, construct, maintain, improve, enlarge,
819 raze, relocate, operate, and manage property and facilities of
820 whatever type to which it holds title and grant and acquire
821 licenses, easements, and options with respect thereto.

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822 (4) Accept grants and donations of any type of property,
823 labor, or other thing of value from any public or private
824 source.

825 (5) Have exclusive control of funds legally available to
826 it, subject to limitations imposed by law or by any agreement
827 validly entered into by it.

828 (6) Cooperate and contract with other governmental
829 agencies or other public bodies.

830 (7) Contract for services of planners, engineers,
831 attorneys, and other planning consultants, ~~experts on crime~~
832 ~~prevention through community policing innovations, environmental~~
833 ~~design, environmental security, or defensible space, or other~~
834 ~~experts~~ in areas pertaining to the operations of the board of
835 directors or the district.

836 (8) Contract with the county or municipal government for
837 planning assistance, legal advice, and ~~for~~ increased levels of
838 law enforcement protection and security, including additional
839 personnel.

840 (9) Promote and advertise the commercial advantages of the
841 district so as to attract new businesses and encourage the
842 expansion of existing businesses.

843 (10) Promote and advertise the district to the public and
844 engage in cooperative advertising programs with businesses
845 located in the district.

846 (11) Improve, plan, design, construct, operate, provide,
847 and maintain street lighting, parks, streets, drainage,
848 utilities, swales, parking facilities, transit facilities,

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849 landscaping, and open areas, and provide ~~safe~~ access to mass
850 transportation facilities in the district.

851 (12) Undertake innovative approaches to securing
852 neighborhoods from crime, such as crime prevention through
853 community policing innovations, environmental design,
854 environmental security, and defensible space.

855 (13) Privatize, close, vacate, plan, or replan streets,
856 roads, sidewalks, and alleys, subject to the concurrence of the
857 local governing body and, if required, the state Department of
858 Transportation.

859 (14) Prepare, adopt, implement, and modify a ~~safe~~
860 neighborhood improvement plan for the district.

861 (15) Identify areas with blighted influences, including,
862 but not limited to, areas where unlawful urban dumping or
863 graffiti are prevalent, and develop programs for eradication
864 thereof.

865 (16) (a) Subject to referendum approval, and for
866 residential local government, special, community redevelopment,
867 and property owners' association neighborhood improvement
868 districts only, make and collect special assessments pursuant to
869 ss. 197.3632 and 197.3635 to pay for improvements to the
870 district and for reasonable expenses of operating the district,
871 including the payment of expenses included in the district's
872 budget, subject to an affirmative vote by a majority of the
873 registered voters residing in the district. Such assessments
874 shall not exceed \$500 for each individual parcel of land per
875 year. Notwithstanding the provisions of s. 101.6102, the

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876 referendum to approve the special assessment shall be by mail
877 ballot.

878 (b) In order to implement this subsection, the city clerk
879 or the supervisor of elections, whichever is appropriate, shall
880 compile a list of the names and last known addresses of the
881 electors in the neighborhood improvement district from the list
882 of registered voters of the county as of the last day of the
883 preceding month. The same shall constitute the registration list
884 for the purposes of a referendum. Within 45 days after
885 compilation of the voter registration list, the city clerk or
886 the supervisor of elections shall notify each elector of the
887 general provisions of this section, including the taxing
888 authority and the date of the upcoming referendum. Notification
889 shall be by United States mail and, in addition thereto, by
890 publication one time in a newspaper of general circulation in
891 the county or municipality in which the district is located.

892 (c) Any resident of the district whose name does not
893 appear on the list compiled pursuant to paragraph (b) may
894 register to vote as provided by law. The registration list shall
895 remain open for 75 days after the notification required in
896 paragraph (b).

897 (d) Within 15 days after the closing of registration, the
898 city clerk or the supervisor of elections shall send a ballot to
899 each elector at his or her last known mailing address by first-
900 class United States mail. The ballot shall include:

901 1. A description of the general provisions of this section
902 applicable to the neighborhood improvement district; and

903 2. Immediately following said information, the following:

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"Do you favor the imposition of a special assessment of not greater than \$500 for each individual parcel of land per year to pay for the expenses of operating the neighborhood improvement district?

....Yes, for the special assessment.

....No, against the special assessment."

(e) Ballots shall be returned by United States mail or by personal delivery.

(f) All ballots received within 60 days after the closing of registration shall be tabulated by the city clerk or the supervisor of elections, who shall certify the results thereof to the city governing body or county commission no later than 5 days after said 60-day period.

(17) Exercise all lawful powers incidental to the effective and expedient exercise of the foregoing powers.

Section 18. Subsections (3) and (4) of section 163.5151, Florida Statutes, are amended to read:

163.5151 Fiscal management; budget preparation.-

(3) Each local government and special neighborhood improvement district levying an ad valorem tax on real or personal property shall establish its budget pursuant to the provisions of chapter 200. Before adopting ~~Prior to adoption of~~ the final budget and setting of the millage rate to be levied by the board, the board shall submit a tentative budget and

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932 proposed millage rate of the district to the governing body of
933 the municipality in which the district is located, or to the
934 county if the district is located in the unincorporated portion
935 of the county, for approval or disapproval. Such governing body
936 shall have the power to modify the budget or millage submitted
937 by the board. Subsequent to approval, the board shall adopt its
938 final budget and millage rate in accordance with the
939 requirements of chapter 200.

940 (4) At the option of the county property appraiser for the
941 county within which the neighborhood improvement district is
942 located, ~~the~~ assessments levied by the district may ~~shall~~ be
943 collected in the same manner as all ad valorem taxes if so
944 requested by the local governing body pursuant to s. 197.363.

945 Section 19. Section 163.516, Florida Statutes, is amended
946 to read:

947 163.516 ~~Safe~~ Neighborhood improvement plans.—

948 (1) A ~~safe~~ neighborhood improvement plan is mandated for
949 all neighborhood improvement districts. The plan must ~~shall~~
950 contain at least the following elements:

951 (a) Demographics of the district.

952 ~~(b) Crime activity data and analysis.~~

953 (b)(e) Land use, zoning, housing, and traffic analysis.

954 ~~(d) Determination of the problems of the crime to-~~
955 ~~environment relationship and the stability of the neighborhood~~
956 ~~improvement district.~~

957 (c)(e) Statement of the district's goal and objectives.

958 ~~(f) Assessment of crime prevention through community~~
959 ~~policing innovations, environmental design, environmental~~

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960 ~~security, and defensible space strategies and tactics that will~~
961 ~~be applied to the crime-to-environment relationship problems.~~

962 ~~(g) Cost estimates and the methods of financing.~~

963 ~~(h) Outline of program participants and their functions~~
964 ~~and responsibilities.~~

965 ~~(i) Schedule for executing program activities.~~

966 ~~(j) Evaluation guidelines.~~

967 (2) Every ~~safe~~ neighborhood improvement plan must ~~shall~~
968 show, by diagram and by general explanation:

969 (a) Such property as is intended for use as public parks,
970 recreation areas, streets, public utilities, and public
971 improvements of any nature.

972 (b) Specific identification of any publicly funded capital
973 improvement projects to be undertaken within the district.

974 ~~(c) Adequate assurances that the improvements will be~~
975 ~~carried out pursuant to the plan.~~

976 ~~(d) Provision for the retention of controls and the~~
977 ~~establishment of any restrictions or covenants running with land~~
978 ~~sold or leased for private use for such periods of time and~~
979 ~~under such conditions as the governing body of the municipality~~
980 ~~in which the district is located, or the county if the district~~
981 ~~is located in the unincorporated portion of the county, deems~~
982 ~~necessary to effectuate the purposes of this part.~~

983 (c)(e) Projected costs of improvements, including the
984 amount to be expended on publicly funded capital improvement
985 projects in the district and any indebtedness of the district,
986 the county, or the municipality proposed to be incurred if such
987 indebtedness is to be repaid with district revenues.

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988 ~~(f) Promotion of advertising programs to be undertaken by~~
989 ~~the district or in conjunction with businesses in the district.~~

990 ~~(g) Suggested physical improvements necessary for the~~
991 ~~safety of residents in or visitors to the district.~~

992 ~~(h) Law enforcement and security plans for the district.~~

993 (3) The safe neighborhood improvement plan must shall:

994 (a) Be consistent with the adopted comprehensive plan for
995 the county or municipality pursuant to the Community Planning
996 Act. No district plan shall be implemented unless the local
997 governing body has determined said plan is consistent.

998 (b) Be sufficiently complete to indicate such land
999 acquisition, demolition and removal of structures, street
1000 modifications, redevelopment, and rehabilitation as may be
1001 proposed to be carried out in the district.

1002 ~~(c) Provide some method for and measurement of the~~
1003 ~~reduction of crime within the district.~~

1004 ~~(4) The county, municipality, or district may prepare or~~
1005 ~~cause to be prepared a safe neighborhood improvement plan, or~~
1006 ~~any person or agency, public or private, may submit such a plan~~
1007 ~~to a district. Prior to its consideration of a safe neighborhood~~
1008 ~~improvement plan, the district shall submit such plan to the~~
1009 ~~local governing body for review and written approval as to its~~
1010 ~~consistency with the local government comprehensive plan. The~~
1011 ~~district must be notified of approval or disapproval within 60~~
1012 ~~days after receipt of the plan for review, and a revised version~~
1013 ~~of the plan may be submitted to satisfy any inconsistencies. The~~
1014 ~~district may not proceed with the safe neighborhood improvement~~
1015 ~~plan until final approval is given by the local governing body.~~

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1016 ~~(4)~~⁽⁵⁾ Prior to adoption of the ~~safe~~ neighborhood
1017 improvement plan, the board shall hold a public hearing on the
1018 plan after public notice thereof by publication in a newspaper
1019 of general circulation in the county or municipality in which
1020 the district is located. The notice shall describe the time,
1021 date, place, and purpose of the hearing; identify the boundaries
1022 of the district; and outline the general scope of the plan.

1023 ~~(5)~~⁽⁶⁾ The board, after the public hearing, may approve
1024 the ~~safe~~ neighborhood improvement plan if it finds:

1025 (a) The plan has been approved as consistent with the
1026 local comprehensive plan by the local governing body; and

1027 (b) The plan will improve the promotion, appearance,
1028 ~~safety, security,~~ and public amenities of the neighborhood
1029 improvement district as stipulated in s. 163.502.

1030 ~~(6)~~⁽⁷⁾ If, at any time after approval of the ~~safe~~
1031 neighborhood improvement plan, it becomes desirable to amend or
1032 modify the plan, the board may do so. Prior to any such
1033 amendment or modification, the board shall obtain written
1034 approval of the local governing body concerning conformity to
1035 the local government comprehensive plan and hold a public
1036 hearing on the proposed amendment or modification after public
1037 notice thereof by publication in a newspaper of general
1038 circulation in the county or municipality in which the district
1039 is located. The notice shall describe the time, place, and
1040 purpose of the hearing and generally describe the proposed
1041 amendment or modification.

1042 ~~(8) Pursuant to s. 163.3184, the governing body of a~~
1043 ~~municipality or county shall hold two public hearings to~~

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1044 ~~consider the board adopted safe neighborhood improvement plan as~~
1045 ~~an amendment or modification to the municipality's or county's~~
1046 ~~adopted local comprehensive plan.~~

1047 ~~(9) A safe neighborhood improvement plan for each district~~
1048 ~~shall be prepared and adopted by the municipality or county~~
1049 ~~prior to the levy and expenditure of any of the proceeds of any~~
1050 ~~tax assessment or fee authorized to such districts other than~~
1051 ~~for the preparation of the safe community or business~~
1052 ~~improvement plan.~~

1053 Section 20. Section 163.517, Florida Statutes, is
1054 repealed.

1055 Section 21. Section 163.519, Florida Statutes, is
1056 repealed.

1057 Section 22. Section 163.521, Florida Statutes, is
1058 repealed.

1059 Section 23. Section 163.5215, Florida Statutes, is
1060 repealed.

1061 Section 24. Section 163.522, Florida Statutes, is
1062 repealed.

1063 Section 25. Section 163.523, Florida Statutes, is
1064 repealed.

1065 Section 26. Section 163.524, Florida Statutes, is
1066 repealed.

1067 Section 27. Section 163.526, Florida Statutes, is
1068 repealed.

1069 Section 28. Paragraph (c) of subsection (1) of section
1070 376.84, Florida Statutes, is amended to read:

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1071 376.84 Brownfield redevelopment economic incentives.—It is
1072 the intent of the Legislature that brownfield redevelopment
1073 activities be viewed as opportunities to significantly improve
1074 the utilization, general condition, and appearance of these
1075 sites. Different standards than those in place for new
1076 development, as allowed under current state and local laws,
1077 should be used to the fullest extent to encourage the
1078 redevelopment of a brownfield. State and local governments are
1079 encouraged to offer redevelopment incentives for this purpose,
1080 as an ongoing public investment in infrastructure and services,
1081 to help eliminate the public health and environmental hazards,
1082 and to promote the creation of jobs in these areas. Such
1083 incentives may include financial, regulatory, and technical
1084 assistance to persons and businesses involved in the
1085 redevelopment of the brownfield pursuant to this act.

1086 (1) Financial incentives and local incentives for
1087 redevelopment may include, but not be limited to:

1088 (c) ~~Safe~~ Neighborhood improvement districts as provided in
1089 part IV of chapter 163 ss. 163.501-163.523.

1090 Section 29. Subsection (2) of section 775.083, Florida
1091 Statutes, is amended to read:

1092 775.083 Fines.—

1093 (2) In addition to the fines set forth in subsection (1),
1094 court costs shall be assessed and collected in each instance a
1095 defendant pleads nolo contendere to, or is convicted of, or
1096 adjudicated delinquent for, a felony, a misdemeanor, or a
1097 criminal traffic offense under state law, or a violation of any
1098 municipal or county ordinance if the violation constitutes a

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1099 | misdemeanor under state law. The court costs imposed by this
1100 | section shall be \$50 for a felony and \$20 for any other offense
1101 | and shall be deposited by the clerk of the court into an
1102 | appropriate county account for disbursement for the purposes
1103 | provided in this subsection. A county shall account for the
1104 | funds separately from other county funds as crime prevention
1105 | funds. The county, in consultation with the sheriff, must expend
1106 | such funds for crime prevention programs in the county,
1107 | including ~~safe~~ neighborhood improvement programs under part IV
1108 | of chapter 163 ss. ~~163.501-163.523.~~

1109 | Section 30. Paragraphs (a) and (c) of subsection (5) of
1110 | section 932.7055, Florida Statutes, are amended to read:

1111 | 932.7055 Disposition of liens and forfeited property.—

1112 | (5) (a) If the seizing agency is a county or municipal
1113 | agency, the remaining proceeds shall be deposited in a special
1114 | law enforcement trust fund established by the board of county
1115 | commissioners or the governing body of the municipality. Such
1116 | proceeds and interest earned therefrom shall be used for school
1117 | resource officer, crime prevention, ~~safe~~ neighborhood
1118 | improvement, drug abuse education and prevention programs, or
1119 | for other law enforcement purposes, which include defraying the
1120 | cost of protracted or complex investigations, providing
1121 | additional equipment or expertise, purchasing automated external
1122 | defibrillators for use in law enforcement vehicles, and
1123 | providing matching funds to obtain federal grants. The proceeds
1124 | and interest may not be used to meet normal operating expenses
1125 | of the law enforcement agency.

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1126 (c) An agency or organization, other than the seizing
1127 agency, that wishes to receive such funds shall apply to the
1128 sheriff or chief of police for an appropriation and its
1129 application shall be accompanied by a written certification that
1130 the moneys will be used for an authorized purpose. Such requests
1131 for expenditures shall include a statement describing
1132 anticipated recurring costs for the agency for subsequent fiscal
1133 years. An agency or organization that receives money pursuant to
1134 this subsection shall provide an accounting for such moneys and
1135 shall furnish the same reports as an agency of the county or
1136 municipality that receives public funds. Such funds may be
1137 expended in accordance with the following procedures:

1138 1. Such funds may be used only for school resource
1139 officer, crime prevention, ~~safe~~ neighborhood improvement, drug
1140 abuse education, or drug prevention programs or such other law
1141 enforcement purposes as the board of county commissioners or
1142 governing body of the municipality deems appropriate.

1143 2. Such funds shall not be a source of revenue to meet
1144 normal operating needs of the law enforcement agency.

1145 3. After July 1, 1992, and during every fiscal year
1146 thereafter, any local law enforcement agency that acquires at
1147 least \$15,000 pursuant to the Florida Contraband Forfeiture Act
1148 within a fiscal year must expend or donate no less than 15
1149 percent of such proceeds for the support or operation of any
1150 drug treatment, drug abuse education, drug prevention, crime
1151 prevention, ~~safe~~ neighborhood improvement, or school resource
1152 officer program ~~program(s)~~. The local law enforcement agency has

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1153 the discretion to determine which program or programs ~~program(s)~~
1154 will receive the designated proceeds.

1155
1156 Notwithstanding the drug abuse education, drug treatment, drug
1157 prevention, crime prevention, ~~safe~~ neighborhood improvement, or
1158 school resource officer minimum expenditures or donations, the
1159 sheriff and the board of county commissioners or the chief of
1160 police and the governing body of the municipality may agree to
1161 expend or donate such funds over a period of years if the
1162 expenditure or donation of such minimum amount in any given
1163 fiscal year would exceed the needs of the county or municipality
1164 for such program or programs ~~program(s)~~. Nothing in this section
1165 precludes the expenditure or donation of forfeiture proceeds in
1166 excess of the minimum amounts established herein.

1167 Section 31. This act shall take effect July 1, 2012.

1168
1169
1170 -----
1171 **T I T L E A M E N D M E N T**

1172 Remove the entire title and insert:

1173 A bill to be entitled

1174 An act relating to neighborhood improvement districts;
1175 amending ss. 163.2511, 163.2517, 163.3182, 163.3246,
1176 and 163.387, F.S.; conforming provisions to changes
1177 made by the act; amending s. 163.501, F.S.; renaming
1178 the "Safe Neighborhoods Act" as the "Neighborhoods
1179 Improvement Act"; amending s. 163.502, F.S.; revising
1180 legislative findings and purpose; amending s. 163.503,

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1181 F.S.; revising and deleting definitions; amending s.
1182 163.5035, F.S.; conforming provisions to changes made
1183 by the act; amending s. 163.504, F.S.; authorizing the
1184 governing body of any municipality or county to form a
1185 neighborhood improvement district through the adoption
1186 of an ordinance rather than by a planning ordinance;
1187 removing provisions pertaining to the creation and
1188 funding of safe neighborhood improvement districts;
1189 amending s. 163.5055, F.S.; requiring each
1190 neighborhood improvement district authorized under law
1191 to notify the Department of Economic Opportunity of
1192 its existence rather than to register with the
1193 Department of Community Affairs and the Department of
1194 Legal Affairs; amending s. 163.506, F.S.; revising
1195 provisions authorizing a local governing body to
1196 create a local government neighborhood improvement
1197 district; removing the requirement that the
1198 neighborhood improvement district notify the
1199 Department of Community Affairs and the Department of
1200 Legal Affairs; specifying that the ordinance may
1201 authorize the improvement district to borrow money,
1202 contract loans, and issue bonds; authorizing the
1203 governing body of the improvement district to levy ad
1204 valorem taxes upon real and tangible personal property
1205 within the district; authorizing the district to make
1206 and collect special assessments; conditioning the
1207 exercise of power by the local government neighborhood
1208 improvement district to borrow money, contract loans,

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1209 issue bonds, charge, collect, and enforce fees, make
1210 and collect special assessments, and levy ad valorem
1211 taxes upon real and tangible personal property within
1212 the district upon the approval of a referendum by the
1213 freeholders of the district; providing ballot
1214 requirements; removing provisions allowing an
1215 alternative organization for the board of directors;
1216 amending s. 163.508, F.S., relating to property
1217 owners' association neighborhood improvement
1218 districts; revising the requirements for creating a
1219 property owners' association neighborhood improvement
1220 district by the enactment of a separate ordinance for
1221 each district; authorizing the governing body to
1222 request grants from the state; amending s. 163.511,
1223 F.S., relating to special neighborhood improvement
1224 districts; revising provisions to conform to changes
1225 made by the act; revising the method of appointing and
1226 removing directors of the district; amending s.
1227 163.512, F.S.; revising provisions authorizing a
1228 municipality or county to create a community
1229 redevelopment neighborhood improvement district;
1230 authorizing the district to receive grants and other
1231 funding; providing that the local governing body may
1232 dissolve the district under certain circumstances;
1233 repealing s. 163.513, F.S., relating to crime
1234 prevention through community policing innovations;
1235 amending s. 163.514, F.S.; revising the powers of
1236 neighborhood improvement districts; allowing the

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1237 district to contract with legal counsel and other
1238 needed professionals; authorizing the district to
1239 collect special assessments under certain
1240 circumstances and following designated procedures;
1241 amending s. 163.5151, F.S.; requiring a local
1242 government and a special neighborhood improvement
1243 district to prepare its budget in a specified manner
1244 if levying an ad valorem tax on real or personal
1245 property; amending s. 163.516, F.S.; requiring
1246 neighborhood improvement plans to be created for each
1247 improvement district; revising the contents of the
1248 neighborhood improvement district's plan; repealing s.
1249 163.517, F.S., relating to the Safe Neighborhoods
1250 Program; repealing s. 163.519, F.S., relating to the
1251 duties of the Department of Legal Affairs relating to
1252 neighborhood improvement districts; repealing s.
1253 163.521, F.S., relating to funding for a neighborhood
1254 improvement district inside an enterprise zone;
1255 repealing s. 163.5215, F.S., relating to the effect
1256 and construction of existing laws relating to
1257 neighborhood improvement districts; repealing s.
1258 163.522, F.S., relating to state redevelopment
1259 programs; repealing s. 163.523, F.S., relating to
1260 cooperation and involvement of community organizations
1261 in the creation of safe neighborhood improvement
1262 districts; repealing s. 163.524, F.S., relating to
1263 participation in the Neighborhood Preservation and
1264 Enhancement Program; repealing s. 163.526, F.S.,

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1265 relating to powers and duties of the Neighborhood
1266 Councils and the designated agency of the local
1267 government; amending ss. 376.84, 775.083, and
1268 932.7055, F.S.; conforming provisions to changes made
1269 by the act; providing an effective date.