

1 A bill to be entitled
2 An act relating to neighborhood improvement districts;
3 amending ss. 163.2511, 163.2517, 163.2520, 163.3182,
4 163.3246, and 163.387, F.S.; conforming provisions to
5 changes made by the act; amending s. 163.501, F.S.;
6 renaming the "Safe Neighborhoods Act" as the
7 "Neighborhoods Improvement Act"; amending s. 163.502,
8 F.S.; revising legislative findings and purpose;
9 amending s. 163.503, F.S.; revising and deleting
10 definitions; amending s. 163.5035, F.S.; conforming
11 provisions to changes made by the act; amending s.
12 163.504, F.S.; authorizing the governing body of any
13 municipality or county to form a neighborhood
14 improvement district through the adoption of an
15 ordinance rather than by a planning ordinance;
16 removing provisions pertaining to the creation and
17 funding of safe neighborhood improvement districts;
18 amending s. 163.5055, F.S.; requiring each
19 neighborhood improvement district authorized under law
20 to notify the Department of Community Affairs and the
21 Department of Legal Affairs of its existence rather
22 than to register with such departments; amending s.
23 163.506, F.S.; revising provisions authorizing a local
24 governing body to create a local government
25 neighborhood improvement district; specifying that the
26 ordinance may authorize the improvement district to
27 borrow money, contract loans, and issue bonds;
28 authorizing the governing body of the improvement

29 | district to levy ad valorem taxes upon real and
30 | tangible personal property within the district;
31 | authorizing the district to make and collect special
32 | assessments; conditioning the exercise of power by the
33 | local government neighborhood improvement district to
34 | borrow money, contract loans, issue bonds, charge,
35 | collect, and enforce fees, make and collect special
36 | assessments, and levy ad valorem taxes upon real and
37 | tangible personal property within the district upon
38 | the approval of a referendum by the freeholders of the
39 | district; providing ballot requirements; removing
40 | provisions allowing an alternative organization for
41 | the board of directors; amending s. 163.508, F.S.,
42 | relating to property owners' association neighborhood
43 | improvement districts; revising the requirements for
44 | creating a property owners' association neighborhood
45 | improvement district by the enactment of a separate
46 | ordinance for each district; authorizing the governing
47 | body to request grants from the state; amending s.
48 | 163.511, F.S., relating to special neighborhood
49 | improvement districts; revising provisions to conform
50 | to changes made by the act; revising the method of
51 | appointing and removing directors of the district;
52 | amending s. 163.512, F.S.; revising provisions
53 | authorizing a municipality or county to create a
54 | community redevelopment neighborhood improvement
55 | district; authorizing the district to receive grants
56 | and other funding; providing that the local governing

57 | body may dissolve the district under certain
58 | circumstances; repealing s. 163.513, F.S., relating to
59 | crime prevention through community policing
60 | innovations; amending s. 163.514, F.S.; revising the
61 | powers of neighborhood improvement districts; allowing
62 | the district to contract with legal counsel and other
63 | needed professionals; authorizing the district to
64 | collect special assessments under certain
65 | circumstances and following designated procedures;
66 | amending s. 163.5151, F.S.; requiring a local
67 | government and a special neighborhood improvement
68 | district to prepare its budget in a specified manner
69 | if levying an ad valorem tax on real or personal
70 | property; amending s. 163.516, F.S.; requiring
71 | neighborhood improvement plans to be created for each
72 | improvement district; revising the contents of the
73 | neighborhood improvement district's plan; repealing s.
74 | 163.517, F.S., relating to the Safe Neighborhoods
75 | Program; repealing s. 163.519, F.S., relating to the
76 | duties of the Department of Legal Affairs relating to
77 | neighborhood improvement districts; repealing s.
78 | 163.521, F.S., relating to funding for a neighborhood
79 | improvement district inside an enterprise zone;
80 | repealing s. 163.5215, F.S., relating to the effect
81 | and construction of existing laws relating to
82 | neighborhood improvement districts; repealing s.
83 | 163.522, F.S., relating to state redevelopment
84 | programs; repealing s. 163.523, F.S., relating to

85 cooperation and involvement of community organizations
 86 in the creation of safe neighborhood improvement
 87 districts; repealing s. 163.524, F.S., relating to
 88 participation in the Neighborhood Preservation and
 89 Enhancement Program; repealing s. 163.526, F.S.,
 90 relating to powers and duties of the Neighborhood
 91 Councils and the designated agency of the local
 92 government; amending ss. 376.84, 775.083, and
 93 932.7055, F.S.; conforming provisions to changes made
 94 by the act; providing an effective date.

95

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

97

98 Section 1. Paragraph (d) of subsection (2) of section
 99 163.2511, Florida Statutes, is amended to read:

100 163.2511 Urban infill and redevelopment.—

101 (2) It is declared that:

102 (d) State urban policies should guide the state, regional
 103 agencies, local governments, and the private sector in
 104 preserving and redeveloping existing urban cores and promoting
 105 the adequate provision of infrastructure, human services,
 106 neighborhood improvement ~~safe neighborhoods~~, educational
 107 facilities, and economic development to sustain these cores into
 108 the future.

109 Section 2. Paragraph (c) of subsection (3) of section
 110 163.2517, Florida Statutes, is amended to read:

111 163.2517 Designation of urban infill and redevelopment
 112 area.—

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113 (3) A local government seeking to designate a geographic
114 area within its jurisdiction as an urban infill and
115 redevelopment area shall prepare a plan that describes the
116 infill and redevelopment objectives of the local government
117 within the proposed area. In lieu of preparing a new plan, the
118 local government may demonstrate that an existing plan or
119 combination of plans associated with a community redevelopment
120 area, Florida Main Street program, Front Porch Florida
121 Community, sustainable community, enterprise zone, or
122 neighborhood improvement district includes the factors listed in
123 paragraphs (a)-(n), including a collaborative and holistic
124 community participation process, or amend such existing plans to
125 include these factors. The plan shall demonstrate the local
126 government and community's commitment to comprehensively address
127 the urban problems within the urban infill and redevelopment
128 area and identify activities and programs to accomplish locally
129 identified goals such as code enforcement; improved educational
130 opportunities; reduction in crime; neighborhood revitalization
131 and preservation; provision of infrastructure needs, including
132 mass transit and multimodal linkages; and mixed-use planning to
133 promote multifunctional redevelopment to improve both the
134 residential and commercial quality of life in the area. The plan
135 shall also:

136 (c) Identify and map existing enterprise zones, community
137 redevelopment areas, community development corporations,
138 brownfield areas, downtown redevelopment districts, ~~safe~~
139 neighborhood improvement districts, historic preservation
140 districts, and empowerment zones or enterprise communities

141 | located within the area proposed for designation as an urban
 142 | infill and redevelopment area and provide a framework for
 143 | coordinating infill and redevelopment programs within the urban
 144 | core.

145 | Section 3. Subsection (2) of section 163.2520, Florida
 146 | Statutes, is amended to read:

147 | 163.2520 Economic incentives.—

148 | (2) A local government with an adopted urban infill and
 149 | redevelopment plan or plan employed in lieu thereof may exercise
 150 | the powers granted under s. 163.514 for ~~community redevelopment~~
 151 | neighborhood improvement districts, including the authority to
 152 | levy special assessments.

153 | Section 4. Paragraph (a) of subsection (6) of section
 154 | 163.3182, Florida Statutes, is amended to read:

155 | 163.3182 Transportation deficiencies.—

156 | (6) EXEMPTIONS.—

157 | (a) The following public bodies or taxing authorities are
 158 | exempt from this section:

159 | 1. A special district that levies ad valorem taxes on
 160 | taxable real property in more than one county.

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

167 | 3. A library district.

168 | 4. A neighborhood improvement district created under the

169 ~~Safe~~ Neighborhoods Improvement Act.

170 5. A metropolitan transportation authority.

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

172 7. A community redevelopment agency.

173 Section 5. Paragraph (e) of subsection (2) of section
174 163.3246, Florida Statutes, is amended to read:

175 163.3246 Local government comprehensive planning
176 certification program.—

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

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

181 1. Promote infill development and redevelopment, including
182 prioritized and timely permitting processes in which
183 applications for local development permits within the
184 certification area are acted upon expeditiously for proposed
185 development that is consistent with the local comprehensive
186 plan.

187 2. Promote the development of housing for low-income and
188 very-low-income households or specialized housing to assist
189 elderly and disabled persons to remain at home or in independent
190 living arrangements.

191 3. Achieve effective intergovernmental coordination and
192 address the extrajurisdictional effects of development within
193 the certified area.

194 4. Promote economic diversity and growth while encouraging
195 the retention of rural character, where rural areas exist, and
196 the protection and restoration of the environment.

197 5. Provide and maintain public urban and rural open space
198 and recreational opportunities.

199 6. Manage transportation and land uses to support public
200 transit and promote opportunities for pedestrian and
201 nonmotorized transportation.

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

205 8. Redevelop blighted areas.

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

209 10. Encourage clustered, mixed-use development that
210 incorporates greenspace and residential development within
211 walking distance of commercial development.

212 11. Encourage urban infill at appropriate densities and
213 intensities and separate urban and rural uses and discourage
214 urban sprawl while preserving public open space and planning for
215 buffer-type land uses and rural development consistent with
216 their respective character along and outside the certification
217 area.

218 12. Assure protection of key natural areas and
219 agricultural lands that are identified using state and local
220 inventories of natural areas. Key natural areas include, but are
221 not limited to:

222 a. Wildlife corridors.

223 b. Lands with high native biological diversity, important
224 areas for threatened and endangered species, species of special

225 concern, migratory bird habitat, and intact natural communities.

226 c. Significant surface waters and springs, aquatic
227 preserves, wetlands, and outstanding Florida waters.

228 d. Water resources suitable for preservation of natural
229 systems and for water resource development.

230 e. Representative and rare native Florida natural systems.

231 13. Ensure the cost-efficient provision of public
232 infrastructure and services.

233 Section 6. Paragraph (c) of subsection (2) of section
234 163.387, Florida Statutes, is amended to read:

235 163.387 Redevelopment trust fund.—

236 (2)

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

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

241 2. A special district for which the sole available source
242 of revenue the district has the authority to levy is ad valorem
243 taxes at the time an ordinance is adopted under this section.

244 However, revenues or aid that may be dispensed or appropriated
245 to a district as defined in s. 388.011 at the discretion of an
246 entity other than such district shall not be deemed available.

247 3. A library district, except a library district in a
248 jurisdiction where the community redevelopment agency had
249 validated bonds as of April 30, 1984.

250 4. A neighborhood improvement district created under the
251 ~~Safe~~ Neighborhoods Improvement Act.

252 5. A metropolitan transportation authority.

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

254 Section 7. Section 163.501, Florida Statutes, is amended
255 to read:

256 163.501 Short title.—This part may be cited as the "~~Safe~~
257 Neighborhoods Improvement Act."

258 Section 8. Section 163.502, Florida Statutes, is amended
259 to read:

260 163.502 ~~Safe~~ Neighborhoods improvement; legislative
261 findings and purpose.—

262 (1) The Legislature ~~hereby~~ finds and declares that among
263 the many causes of deterioration in the business and residential
264 neighborhoods of the state are the following: proliferation of
265 crime, automobile traffic flow strangled by outmoded street
266 patterns, unsuitable topography, faulty lot layouts,
267 fragmentation of land uses and parking areas necessitating
268 frequent automobile movement, lack of separation of pedestrian
269 areas from automobile traffic, lack of separation of vehicle
270 traffic lanes and railroad traffic, ~~and~~ excessive noise levels
271 from automobile traffic, and lack of adequate public
272 improvements such as streets, street lights, street furniture,
273 street landscaping, sidewalks, traffic signals, way-finding
274 signs, mass transit, stormwater systems, and other public
275 utilities and improvements.

276 (2) The Legislature further finds and declares that
277 healthy and vibrant ~~safe~~ neighborhoods are the product of
278 planning and implementation of appropriate environmental design
279 concepts, comprehensive planning ~~crime prevention programs~~, land
280 use recommendations, and beautification techniques.

281 (3) The Legislature further finds and declares that the
 282 provisions of this part and the powers granted to local
 283 governments, property owners' associations, special dependent
 284 districts, and community redevelopment neighborhood improvement
 285 districts are desirable to guide and accomplish the coordinated,
 286 balanced, and harmonious development of healthy and vibrant ~~safe~~
 287 neighborhoods; to promote the health, ~~safety,~~ and general
 288 welfare of these areas and their inhabitants, visitors, property
 289 owners, and workers; to establish, maintain, and preserve
 290 property values and preserve and foster the development of
 291 attractive neighborhood and business environments; to prevent
 292 ~~overcrowding and congestion; and~~ to improve or redirect
 293 automobile traffic and provide pedestrian safety; ~~to reduce~~
 294 ~~crime rates and the opportunities for the commission of crime;~~
 295 ~~and to provide improvements in neighborhoods so they are~~
 296 ~~defensible against crime.~~

297 (4) It is the intent of the Legislature to assist local
 298 governments in implementing plans that improve the ~~employ crime~~
 299 ~~prevention through community policing innovations, environmental~~
 300 ~~design, environmental security, and defensible space techniques~~
 301 ~~to establish safe~~ neighborhoods of this state. The Legislature,
 302 therefore, declares that the development, redevelopment,
 303 preservation, and revitalization of neighborhoods in this state,
 304 and all the purposes of this part, are public purposes for which
 305 public money may be borrowed, expended, loaned, and granted.

306 Section 9. Section 163.503, Florida Statutes, is amended
 307 to read:

308 163.503 ~~Safe neighborhoods;~~ Definitions.—

309 (1) ~~"Safe Neighborhood improvement district," "district,"~~
 310 or "neighborhood improvement district" means a district located
 311 in an area in which more than 75 percent of the land is used for
 312 residential purposes, or in an area in which more than 75
 313 percent of the land is used for commercial, office, business, or
 314 industrial purposes, excluding the land area used for public
 315 facilities, ~~and where there is a plan to reduce crime through~~
 316 ~~the implementation of crime prevention through environmental~~
 317 ~~design, environmental security, or defensible space techniques,~~
 318 ~~or through community policing innovations.~~ Nothing in This
 319 section does not ~~shall~~ preclude the inclusion of public land in
 320 a neighborhood improvement district although the amount of land
 321 used for public facilities is excluded from the land use acreage
 322 calculations.

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

326 (3) "Department" means the Department of Legal Affairs.

327 (4) "Board" means the board of directors of a neighborhood
 328 improvement district, which may be the governing body of a
 329 municipality or county or the officers of a property owners'
 330 association or the board of directors of a special neighborhood
 331 improvement district or community redevelopment neighborhood
 332 improvement district.

333 ~~(5) "Environmental security" means an urban planning and~~
 334 ~~design process which integrates crime prevention with~~
 335 ~~neighborhood design and community development.~~

336 ~~(6) "Crime prevention through environmental design" means~~

337 ~~the planned use of environmental design concepts such as natural~~
 338 ~~access control, natural surveillance, and territorial~~
 339 ~~reinforcement in a neighborhood or community setting which is~~
 340 ~~designed to reduce criminal opportunity and foster positive~~
 341 ~~social interaction among the legitimate users of that setting.~~

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

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

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

351 Section 10. Section 163.5035, Florida Statutes, is amended
 352 to read:

353 163.5035 ~~Safe~~ Neighborhood improvement districts;
 354 compliance with special district provisions.—Any special
 355 district created pursuant to this part shall comply with all
 356 applicable provisions contained in chapter 189. In cases where a
 357 provision contained in this part conflicts with a provision in
 358 chapter 189, the provision in chapter 189 shall prevail.

359 Section 11. Section 163.504, Florida Statutes, is amended
 360 to read:

361 163.504 ~~Safe~~ Neighborhood improvement districts; ~~planning~~
 362 ~~funds.~~—

363 ~~(1)~~ The governing body of any municipality or county may
 364 authorize the formation of ~~safe~~ neighborhood improvement

365 districts through the adoption of an a ~~planning~~ ordinance that
 366 ~~which~~ specifies that such districts may be created by one or
 367 more of the methods established in ss. 163.506, 163.508,
 368 163.511, and 163.512. A ~~No~~ district may not overlap the
 369 jurisdictional boundaries of a municipality and the
 370 unincorporated area of a county, unless approved ~~except~~ by
 371 interlocal agreement.

372 ~~(2) If the governing body of a municipality or county~~
 373 ~~elects to create a safe neighborhood improvement district, it~~
 374 ~~shall be eligible to request a grant from the Safe Neighborhoods~~
 375 ~~Program, created pursuant to s. 163.517 and administered by the~~
 376 ~~Department of Legal Affairs, to prepare a safe neighborhood~~
 377 ~~improvement plan for the district.~~

378 ~~(3) Municipalities and counties may implement the~~
 379 ~~provisions of this section without planning funds from the~~
 380 ~~Department of Legal Affairs. However, nothing in this section~~
 381 ~~shall be construed to exempt any district from the requirements~~
 382 ~~of providing a safe neighborhood improvement plan pursuant to s.~~
 383 ~~163.516.~~

384 Section 12. Section 163.5055, Florida Statutes, is amended
 385 to read:

386 163.5055 Notice Registration of district establishment;
 387 notice of dissolution.-

388 (1)(a) Each neighborhood improvement district authorized
 389 and established under this part shall within 30 days thereof
 390 notify ~~register with both~~ the Department of Community Affairs
 391 and the Department of Legal Affairs by providing these
 392 departments with the district's name, location, size, and type,

393 and such other information as the departments may request
 394 require.

395 ~~(2)(b)~~ Each local governing body that ~~which~~ authorizes the
 396 dissolution of a district shall notify both the Department of
 397 Community Affairs and the Department of Legal Affairs within 30
 398 days after the dissolution of the district.

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

401 Section 13. Section 163.506, Florida Statutes, is amended
 402 to read:

403 163.506 Local government neighborhood improvement
 404 districts; creation; advisory council; dissolution.—

405 (1) After an ~~a local planning~~ ordinance has been adopted
 406 authorizing the creation of local government neighborhood
 407 improvement districts, the local governing body of a
 408 municipality or county may create local government neighborhood
 409 improvement districts by the enactment of a separate ordinance
 410 for each district, ~~which ordinance:~~

411 (a) Specifies the boundaries, size, and name of the
 412 district.

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

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

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

421 residential local government neighborhood improvement district
 422 ~~including community policing innovations.~~

423 (e) Designates the local governing body as the board of
 424 directors of the district.

425 (f) Establishes an advisory council to the board of
 426 directors comprised of property owners, representatives of
 427 property owners, business owners, or residents of the district.

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

430 (h) Requires the district to notify the Department of
 431 Legal Affairs and the Department of Community Affairs in writing
 432 of its establishment within 30 days thereof pursuant to s.
 433 163.5055.

434 (i) Authorizes the district to borrow money, contract
 435 loans, and issue bonds, certificates, warrants, notes, or other
 436 evidence of indebtedness from time to time to finance the
 437 undertaking of any capital or other project for the purposes
 438 permitted by the State Constitution and this part and may pledge
 439 the funds, credit, property, and taxing power of the improvement
 440 district for the payment of such debts and bonds.

441 1. Bonds issued under this part shall be authorized by
 442 resolution of the governing board of the district and, if
 443 required by the State Constitution, by affirmative vote of the
 444 electors of the district. Such bonds may be issued in one or
 445 more series and shall bear such date or dates, be payable upon
 446 demand or mature at such time or times, bear interest at such
 447 rate or rates, be in such denomination or denominations, be in
 448 such form, registered or not, with or without coupon, carry such

449 conversion or registration privileges, have such rank or
450 priority, be executed in such manner, be payable in such medium
451 of payment, at such place or places, and subject to such terms
452 of redemption, with or without premium, be secured in such
453 manner, and have such other characteristics as may be provided
454 by such resolution or trust indenture or mortgage issued
455 pursuant thereto.

456 2. The governing body of the district shall determine the
457 terms and manner of sale and distribution or other disposition
458 of any and all bonds it may issue, consistent with s. 218.385,
459 and shall have any and all powers necessary and convenient to
460 such disposition.

461 3. The governing body of the district may establish and
462 administer such sinking funds as it deems necessary or
463 convenient for the payment, purchase, or redemption of any
464 outstanding bonded indebtedness of the district.

465 4. The governing body of the improvement district may levy
466 ad valorem taxes upon real and tangible personal property within
467 the district as it deems necessary to make payment, including
468 principal and interest, upon the general obligation and ad
469 valorem bonded indebtedness of the district or into any sinking
470 fund created pursuant to this part.

471 5. This part shall be full authority for the issuance of
472 bonds authorized herein.

473 (j) Authorizes the district to make and collect special
474 assessments pursuant to ss. 197.3632 and 197.3635 to pay for
475 capital improvements within the district and for reasonable
476 expenses of operating the district, including the payment of

477 expenses included in the district's budget, if the district is a
 478 commercial local government neighborhood improvement district.
 479 Such assessments may not exceed \$1,500 for each individual
 480 parcel of land per year.

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

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

486 1. Within 45 days after the date the governing body of the
 487 municipality or county enacts an ordinance pursuant to this
 488 subsection defining the boundaries of the proposed improvement
 489 district, the city clerk or the supervisor of elections,
 490 whichever is appropriate, shall certify such ordinance or
 491 petition and compile a list of the names and last known
 492 addresses of the freeholders in the proposed local government
 493 neighborhood improvement district from the tax assessment roll
 494 of the county applicable as of December 31 in the year preceding
 495 the year in which the ordinance was enacted. Except as otherwise
 496 provided in this paragraph, the list shall constitute the
 497 registration list for the purposes of the freeholders'
 498 referendum required under this paragraph.

499 2. Within 45 days after compilation of the freeholders'
 500 registration list pursuant to subparagraph 1., the city clerk or
 501 the supervisor of elections shall notify each such freeholder of
 502 the general provisions of this paragraph, including the taxing
 503 authority and the date of the upcoming referendum, and the
 504 method provided for submitting corrections to the registration

505 list if the status of the freeholder has changed since the
 506 compilation of the tax rolls. Notification shall be by first-
 507 class United States mail and, in addition thereto, by
 508 publication one time in a newspaper of general circulation in
 509 the county or municipality in which the district is located.

510 3. Any freeholder whose name does not appear on the tax
 511 rolls compiled pursuant to subparagraph 1. may register to vote
 512 with the city clerk or the supervisor of elections. The
 513 registration list shall remain open for 75 days after enactment
 514 of the ordinance defining the local government neighborhood
 515 improvement district.

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

521 a. A description of the general provisions of this
 522 paragraph applicable to local government neighborhood
 523 improvement districts;

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

525 c. The percent of the freeholder's interest in such
 526 property; and

527 d. Immediately following the information required in sub-
 528 subparagraphs a.-c., the following:

529
 530 "Do you favor authorizing the Local Government
 531 Neighborhood Improvement District to levy up to 2
 532 mills of ad valorem taxes by such proposed district?

533
534Yes, for authorizing the levy of up to 2 mills of
535 ad valorem taxes by such proposed district.

536
537No, against authorizing the levy of up to 2 mills
538 of ad valorem taxes by such proposed district."

539
540 "Do you favor authorizing the Local Government
541 Neighborhood Improvement District to borrow money,
542 including the issuance of bonds, as provided by s.
543 163.506(1)(i)?

544
545Yes, for authorizing the borrowing of money for
546 district purposes.

547
548No, against authorizing the borrowing of money for
549 district purposes."

550
551 "Do you favor authorizing the Local Government
552 Neighborhood Improvement District to impose a special
553 assessment of not greater than \$1,500 for each
554 individual parcel of land per year to pay for the
555 expenses of operating the neighborhood improvement
556 district and for approved capital improvements?

557
558Yes, for the special assessment.

559
560No, against the special assessment."

561
562 5. Ballots shall be returned by first-class United States
563 mail or by personal delivery.

564 6. All ballots received within 120 days after enactment of
565 the ordinance shall be tabulated by the city clerk or the
566 supervisor of elections, who shall certify the results thereof
567 to the city council or county commission no later than 5 days
568 after the 120-day period.

569 7. The freeholders shall be deemed to have approved of the
570 provisions of this paragraph at such time as the city clerk or
571 the supervisor of elections certifies to the governing body of
572 the municipality or county that approval has been given by
573 freeholders representing in excess of 50 percent of the assessed
574 value of the property within the local government neighborhood
575 improvement district.

576 8. The city clerk or the supervisor of elections,
577 whichever is appropriate, shall enclose with each ballot sent
578 pursuant to this paragraph two envelopes: a secrecy envelope,
579 into which the freeholder shall enclose the marked ballot; and a
580 mailing envelope, into which the freeholder shall then place the
581 secrecy envelope, which shall be addressed to the city clerk or
582 the supervisor of elections. The back side of the mailing
583 envelope shall bear a certificate in substantially the following
584 form:

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586 NOTE: PLEASE READ INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT
587 AND COMPLETING VOTER'S CERTIFICATE.
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VOTER'S CERTIFICATE

I, , am a duly qualified and registered freeholder of the proposed... (name)... local government neighborhood improvement district; and I am entitled to vote this ballot. I do solemnly swear or affirm that I have not and will not vote more than one ballot in this election. I understand that failure to sign this certificate and have my signature witnessed will invalidate my ballot.

... (Voter's Signature)

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

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

... (Signature of Witness)...

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

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

10. The city clerk or the supervisor of elections shall

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617 enclose with each ballot sent to a freeholder pursuant to this
618 paragraph separate printed instructions in substantially the
619 following form:

620
621 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

622
623 a. VERY IMPORTANT. In order to ensure that your ballot
624 will be counted, it should be completed and returned as soon as
625 possible so that it can reach the city clerk or the supervisor
626 of elections no later than 7 p.m. on the (final day of the 120-
627 day period given here).

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

629 c. Place your marked ballot in the enclosed secrecy
630 envelope.

631 d. Insert the secrecy envelope into the enclosed mailing
632 envelope, which is addressed to the city clerk or the supervisor
633 of elections.

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

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

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

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

643 (2) The advisory council shall perform such duties as may
644 be prescribed by the governing body and shall submit within the

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645 time period specified by the governing body, acting as the board
646 of directors, a report on the district's activities and a
647 proposed budget to accomplish its objectives. In formulating a
648 plan for services or improvements the advisory board shall
649 consult in public session with the appropriate staff or
650 consultants of the local governing body ~~responsible for the~~
651 ~~district's plan.~~

652 ~~(3) As an alternative to designating the local governing~~
653 ~~body as the board of directors, a majority of the local~~
654 ~~governing body of a city or county may appoint a board of three~~
655 ~~to seven directors for the district who shall be residents of~~
656 ~~the proposed area and who are subject to ad valorem taxation in~~
657 ~~the residential neighborhood improvement district or who are~~
658 ~~property owners in a commercial neighborhood improvement~~
659 ~~district. The directors shall be appointed for staggered terms~~
660 ~~of 3 years. The initial appointments shall be as follows: one~~
661 ~~director for a 1-year term; one director for a 2-year term; and~~
662 ~~one director for a 3-year term. If more than three directors are~~
663 ~~to be appointed, the additional members shall initially be~~
664 ~~appointed for 3-year terms. Vacancies shall be filled for the~~
665 ~~unexpired portion of a term in the same manner as the initial~~
666 ~~appointments were made. Each director shall hold office until~~
667 ~~his or her successor is appointed and qualified unless the~~
668 ~~director ceases to be qualified or is removed from office. Upon~~
669 ~~appointment and qualification and in January of each year, the~~
670 ~~directors shall organize by electing from their number a chair~~
671 ~~and a secretary.~~

672 (3)~~(4)~~ A district may be dissolved by the governing body

673 | by rescinding the ordinance creating the district. The governing
 674 | body may rescind ~~shall consider rescinding~~ the ordinance if
 675 | presented with a petition requesting that it be rescinded.
 676 | Petitions related to a residential neighborhood improvement
 677 | district must contain ~~containing~~ the signatures of 60 percent of
 678 | the residents. Petitions related to a commercial neighborhood
 679 | improvement district must contain signatures representing owners
 680 | of 60 percent of the land area of the ~~of a~~ district.

681 | Section 14. Section 163.508, Florida Statutes, is amended
 682 | to read:

683 | 163.508 Property owners' association neighborhood
 684 | improvement districts; creation; powers and duties; duration.—

685 | (1) After an ~~a local planning~~ ordinance has been adopted
 686 | authorizing the creation of property owners' association
 687 | neighborhood improvement districts, the local governing body of
 688 | a municipality or county may create property owners' association
 689 | neighborhood improvement districts by the enactment of a
 690 | separate ordinance for each district, ~~which ordinance:~~

691 | (a) Establishes that an incorporated property owners'
 692 | association representing 75 percent of all owners of property
 693 | within a proposed district meeting the requirements of this
 694 | section has petitioned the governing body of the municipality or
 695 | county for creation of a district for the area encompassed by
 696 | the property owned by members of the association.

697 | (b) Specifies the boundaries, size, and name of the
 698 | district.

699 | (c) Authorizes the governing body through mutual agreement
 700 | with the property owners' association to:

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701 1. Request grants ~~a matching grant from the state's Safe~~
702 ~~Neighborhoods Program to prepare the first year's safe~~
703 ~~neighborhood improvement plan. The provider of the local match~~
704 ~~for the state grant shall be mutually agreed upon between the~~
705 ~~governing body and the property owners' association. The~~
706 ~~governing body may agree to provide the match as a no interest-~~
707 ~~bearing loan to be paid back from assessments imposed by the~~
708 ~~association on its members or shareholders.~~

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

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

715 (d) Provides for an audit of the property owners'
716 association.

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

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

721 (g) Requires the district to notify the Department of
722 Legal Affairs and the Department of Community Affairs in writing
723 of its establishment within 30 days thereof pursuant to s.
724 163.5055.

725 (2) In order to qualify for the creation of a neighborhood
726 improvement district, the property owners shall form an
727 association in compliance with this section, or use an existing
728 property owners' association in compliance with this section,

729 | which shall be a corporation, ~~for profit or not for profit.~~ At
 730 | least, ~~and of which not less than~~ 75 percent of all property
 731 | owners within the proposed area must consent ~~have consented~~ in
 732 | writing to become members ~~or shareholders~~. Upon such consent by
 733 | 75 percent of the property owners in the proposed district, all
 734 | consenting property owners and their successors shall become
 735 | members of the association and shall be bound by the provisions
 736 | of the articles of incorporation, the bylaws of the association,
 737 | the covenants, the deed restrictions, the indentures, and any
 738 | other properly promulgated restrictions. The association shall
 739 | have no member ~~or shareholder~~ who is not a bona fide owner of
 740 | property within the proposed district. Upon receipt of its
 741 | certificate of incorporation, the property owners' association
 742 | shall notify the clerk of the city or county court, whichever is
 743 | appropriate, in writing, of such incorporation and shall list
 744 | the names and addresses of the officers of the association.

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

747 | (a) To negotiate with the governing body of a municipality
 748 | or county for closing, privatizing, or modifying the rights-of-
 749 | way, and appurtenances thereto, within the district.

750 | (b) To use ~~utilize~~ various legal instruments such as
 751 | covenants, deed restrictions, and indentures to preserve and
 752 | maintain the integrity of property, land, and rights-of-way
 753 | owned and conveyed to it within the district.

754 | (c) To make and collect assessments against all property
 755 | within the boundaries of the district pursuant to the provisions
 756 | of s. 163.514(16) and to lease, maintain, repair, and

757 reconstruct any privatized street, land, or common area within
 758 the district upon dedication thereof to the association.

759 (d) Without the joinder of any property owner, to modify,
 760 move, or create any easement for ingress and egress or for the
 761 purpose of utilities, if such easement constitutes part of or
 762 crosses district property. However, this does ~~shall~~ not
 763 authorize the association to modify or move any easement that
 764 ~~which~~ is created in whole or in part for the use or benefit of
 765 anyone other than association members, or which crosses the
 766 property of anyone other than association members, without the
 767 consent or approval of such person as required by law or by the
 768 instrument creating the easement. Nothing in this paragraph
 769 shall affect the rights of ingress or egress of any member of
 770 the association.

771 (4) A property owners' association neighborhood
 772 improvement district shall continue in perpetuity as long as the
 773 property owners' association created pursuant to this section
 774 exists under the applicable laws of the state.

775 Section 15. Subsections (1), (7), (8), and (10) of section
 776 163.511, Florida Statutes, are amended to read:

777 163.511 Special neighborhood improvement districts;
 778 creation; referendum; board of directors; duration; extension.-

779 (1) After an ~~a local planning~~ ordinance has been adopted
 780 authorizing the creation of special neighborhood improvement
 781 districts, the governing body of a municipality or county may
 782 declare the need for and create special residential or business
 783 neighborhood improvement districts by the enactment of a
 784 separate ordinance for each district, ~~which ordinance:~~

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

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

790 (c) Authorizes the use of special assessments to support
 791 planning and implementation of district improvements pursuant to
 792 the provisions of s. 163.514(16), ~~including community policing~~
 793 ~~innovations.~~

794 (d) Specifies the boundaries, size, and name of the
 795 district.

796 (e) Authorizes the district to receive a planning grant
 797 from the department.

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

800 (g) May authorize a special neighborhood improvement
 801 district to exercise the power of eminent domain pursuant to
 802 chapters 73 and 74. Any property identified for eminent domain
 803 by the district shall be subject to the approval of the local
 804 governing body before eminent domain procedures are exercised.

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

807 (i) Requires the district to notify the Department of
 808 Legal Affairs and the Department of Community Affairs in writing
 809 of its establishment within 30 days thereof pursuant to s.
 810 163.5055.

811 (j) May authorize a special neighborhood improvement
 812 district to develop and implement community policing innovations

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813 | in consultation with the local law enforcement agency having
814 | jurisdiction within the district boundaries.

815 | (7) The business and affairs of a special neighborhood
816 | improvement district shall be conducted and administered by a
817 | board of three directors who shall be residents of or property
818 | owners within the proposed area and who are subject to ad
819 | valorem taxation in the district. Upon their initial appointment
820 | and qualification and in January of each year thereafter, the
821 | directors shall organize by electing from their number a chair
822 | and a secretary, and may also employ staff and legal
823 | representatives as deemed appropriate, who shall serve at the
824 | pleasure of the board and may receive such compensation as shall
825 | be fixed by the board. The secretary shall keep a record of the
826 | proceedings of the district and shall be custodian of all books
827 | and records of the district. The directors may ~~shall~~ not receive
828 | any compensation for their services, nor may they be employed by
829 | the district.

830 | (8) Within 30 days of the approval of the creation of a
831 | special neighborhood improvement district, if the district is in
832 | a municipality, ~~a majority of~~ the governing body of the
833 | municipality, or if the district is in the unincorporated area
834 | of the county, ~~a majority of~~ the county commission, shall
835 | appoint the three directors provided for herein for staggered
836 | terms of 3 years. The initial appointments shall be as follows:
837 | one for a 1-year term, one for a 2-year term, and one for a 3-
838 | year term. Each director shall hold office until his or her
839 | successor is appointed and qualified unless the director ceases
840 | to be qualified to act as a director or is removed from office.

841 Vacancies on the board shall be filled for the unexpired portion
 842 of a term in the same manner as the initial appointments were
 843 made.

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

851 Section 16. Section 163.512, Florida Statutes, is amended
 852 to read:

853 163.512 Community redevelopment neighborhood improvement
 854 districts; creation; advisory council; dissolution.—

855 (1) Upon the recommendation of the community redevelopment
 856 agency and after an ~~a local planning~~ ordinance has been adopted
 857 authorizing the creation of community redevelopment neighborhood
 858 improvement districts, the local governing body of a
 859 municipality or county may create community redevelopment
 860 neighborhood improvement districts by the enactment of a
 861 separate ordinance for each district, ~~which ordinance:~~

862 (a) Specifies the boundaries, size, and name of the
 863 district.

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

866 (c) Authorizes the use of the community redevelopment
 867 trust fund created pursuant to s. 163.387 for the purposes of
 868 implementing the district's ~~safe neighborhood~~ improvement plan

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869 ~~and furthering crime prevention through community policing~~
870 ~~innovations, environmental design, environmental security, and~~
871 ~~defensible space techniques, if the expenditures ~~from the~~~~
872 ~~community redevelopment trust fund~~ are consistent with the
873 community redevelopment plan created pursuant to s. 163.360.

874 (d) Designates the community redevelopment board of
875 commissioners established pursuant to s. 163.356 or s. 163.357
876 as the board of directors for the district.

877 (e) Establishes an advisory council to the board of
878 directors comprised of property owners or residents of the
879 district.

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

882 (g) Requires that the district's ~~safe~~ neighborhood
883 improvement plan be consistent with the community redevelopment
884 plan created pursuant to s. 163.360, and permits the ~~safe~~
885 neighborhood improvement plan to be included in the community
886 redevelopment plan as an optional element.

887 (h) Requires that the boundaries of the community
888 redevelopment district be contained in whole within the
889 community redevelopment area established pursuant to ss. 163.355
890 and 163.356.

891 (i) Requires the district to notify the Department of
892 Legal Affairs and the Department of Community Affairs in writing
893 of its establishment within 30 days thereof pursuant to s.
894 163.5055.

895 (2) The advisory council shall perform such duties as may
896 be prescribed by the community redevelopment board established

897 | pursuant to s. 163.356 and shall submit within the time period
 898 | specified by the board of directors a report on the district's
 899 | activities and a proposed budget to accomplish its objectives.
 900 | In formulating a plan for services or improvements, the advisory
 901 | council shall consult in public session with the appropriate
 902 | staff or consultants of the community redevelopment board
 903 | ~~responsible for the district's plan.~~

904 | (3) A district may be dissolved by the local governing
 905 | body by rescinding the ordinance creating the district. The
 906 | governing body may rescind ~~shall consider rescinding~~ the
 907 | ordinance if presented with a petition containing the signatures
 908 | of 60 percent of the residents of a district.

909 | Section 17. Section 163.513, Florida Statutes, is
 910 | repealed.

911 | Section 18. Section 163.514, Florida Statutes, is amended
 912 | to read:

913 | 163.514 Powers of neighborhood improvement districts.—
 914 | Unless prohibited by ordinance, the board of any district is
 915 | ~~shall be~~ empowered to:

916 | (1) Enter into contracts and agreements and sue and be
 917 | sued as a body corporate.

918 | (2) Have and use a corporate seal.

919 | (3) Acquire, own, convey, or otherwise dispose of, lease
 920 | as lessor or lessee, construct, maintain, improve, enlarge,
 921 | raze, relocate, operate, and manage property and facilities of
 922 | whatever type to which it holds title and grant and acquire
 923 | licenses, easements, and options with respect thereto.

924 | (4) Accept grants and donations of any type of property,

925 labor, or other thing of value from any public or private
 926 source.

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

930 (6) Cooperate and contract with other governmental
 931 agencies or other public bodies.

932 (7) Contract for services of planners, engineers,
 933 attorneys, and other ~~planning consultants, experts on crime~~
 934 ~~prevention through community policing innovations, environmental~~
 935 ~~design, environmental security, or defensible space, or other~~
 936 ~~experts~~ in areas pertaining to the operations of the board of
 937 directors or the district.

938 (8) Contract with the county or municipal government for
 939 planning assistance, legal advice, and for increased levels of
 940 law enforcement protection and security, including additional
 941 personnel.

942 (9) Promote and advertise the commercial advantages of the
 943 district so as to attract new businesses and encourage the
 944 expansion of existing businesses.

945 (10) Promote and advertise the district to the public and
 946 engage in cooperative advertising programs with businesses
 947 located in the district.

948 (11) Improve, plan, design, construct, operate, provide,
 949 and maintain street lighting, parks, streets, drainage,
 950 utilities, swales, parking facilities, transit, landscaping, and
 951 open areas, and provide ~~safe~~ access to mass transportation
 952 facilities in the district.

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953 (12) Undertake innovative approaches to securing
954 neighborhoods from crime, such as crime prevention through
955 community policing innovations, environmental design,
956 environmental security, and defensible space.

957 (13) Privatize, close, vacate, plan, or replan streets,
958 roads, sidewalks, and alleys, subject to the concurrence of the
959 local governing body and, if required, the state Department of
960 Transportation.

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

963 (15) Identify areas with blighted influences, including,
964 but not limited to, areas where unlawful urban dumping or
965 graffiti are prevalent, and develop programs for eradication
966 thereof.

967 (16)(a) Subject to referendum approval, and for special,
968 community redevelopment, and property owners' association
969 neighborhood improvement districts only, make and collect
970 special assessments pursuant to ss. 197.3632 and 197.3635 to pay
971 for improvements to the district and for reasonable expenses of
972 operating the district, including the payment of expenses
973 included in the district's budget, subject to an affirmative
974 vote by a majority of the registered voters residing in the
975 district. Such assessments shall not exceed \$500 for each
976 individual parcel of land per year. Notwithstanding the
977 provisions of s. 101.6102, the referendum to approve the special
978 assessment shall be by mail ballot.

979 (b) In order to implement this subsection, the city clerk
980 or the supervisor of elections, whichever is appropriate, shall

981 compile a list of the names and last known addresses of the
 982 electors in the neighborhood improvement district from the list
 983 of registered voters of the county as of the last day of the
 984 preceding month. The same shall constitute the registration list
 985 for the purposes of a referendum. Within 45 days after
 986 compilation of the voter registration list, the city clerk or
 987 the supervisor of elections shall notify each elector of the
 988 general provisions of this section, including the taxing
 989 authority and the date of the upcoming referendum. Notification
 990 shall be by United States mail and, in addition thereto, by
 991 publication one time in a newspaper of general circulation in
 992 the county or municipality in which the district is located.

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

998 (d) Within 15 days after the closing of registration, the
 999 city clerk or the supervisor of elections shall send a ballot to
 1000 each elector at his or her last known mailing address by first-
 1001 class United States mail. The ballot shall include:

1002 1. A description of the general provisions of this section
 1003 applicable to the neighborhood improvement district; and

1004 2. Immediately following said information, the following:

1005
 1006 "Do you favor the imposition of a special assessment
 1007 of not greater than \$500 for each individual parcel of
 1008 land per year to pay for the expenses of operating the

1009 neighborhood improvement district?

1010

1011Yes, for the special assessment.

1012

1013No, against the special assessment."

1014

1015 (e) Ballots shall be returned by United States mail or by
1016 personal delivery.

1017 (f) All ballots received within 60 days after the closing
1018 of registration shall be tabulated by the city clerk or the
1019 supervisor of elections, who shall certify the results thereof
1020 to the city governing body or county commission no later than 5
1021 days after said 60-day period.

1022 (17) Exercise all lawful powers incidental to the
1023 effective and expedient exercise of the foregoing powers.

1024 Section 19. Subsections (3) and (4) of section 163.5151,
1025 Florida Statutes, are amended to read:

1026 163.5151 Fiscal management; budget preparation.—

1027 (3) Each local government and special neighborhood
1028 improvement district levying an ad valorem tax on real or
1029 personal property shall establish its budget pursuant to the
1030 provisions of chapter 200. Before adopting ~~Prior to adoption of~~
1031 the final budget and setting of the millage rate to be levied by
1032 the board, the board shall submit a tentative budget and
1033 proposed millage rate of the district to the governing body of
1034 the municipality in which the district is located, or to the
1035 county if the district is located in the unincorporated portion
1036 of the county, for approval or disapproval. Such governing body

1037 shall have the power to modify the budget or millage submitted
 1038 by the board. Subsequent to approval, the board shall adopt its
 1039 final budget and millage rate in accordance with the
 1040 requirements of chapter 200.

1041 (4) At the option of the county property appraiser for the
 1042 county within which the neighborhood improvement district is
 1043 located, ~~the~~ assessments levied by the district may ~~shall~~ be
 1044 collected in the same manner as all ad valorem taxes if so
 1045 requested by the local governing body pursuant to s. 197.363.

1046 Section 20. Section 163.516, Florida Statutes, is amended
 1047 to read:

1048 163.516 ~~Safe~~ Neighborhood improvement plans.—

1049 (1) A ~~safe~~ neighborhood improvement plan is mandated for
 1050 all neighborhood improvement districts. The plan must ~~shall~~
 1051 contain at least the following elements:

1052 (a) Demographics of the district.

1053 ~~(b) Crime activity data and analysis.~~

1054 (b)(e) Land use, zoning, housing, and traffic analysis.

1055 ~~(d) Determination of the problems of the crime-to-~~
 1056 ~~environment relationship and the stability of the neighborhood~~
 1057 ~~improvement district.~~

1058 (c)(e) Statement of the district's goal and objectives.

1059 ~~(f) Assessment of crime prevention through community~~
 1060 ~~policing innovations, environmental design, environmental~~
 1061 ~~security, and defensible space strategies and tactics that will~~
 1062 ~~be applied to the crime-to-environment relationship problems.~~

1063 ~~(g) Cost estimates and the methods of financing.~~

1064 ~~(h) Outline of program participants and their functions~~

1065 and responsibilities.

1066 ~~(i) Schedule for executing program activities.~~

1067 ~~(j) Evaluation guidelines.~~

1068 (2) Every ~~safe~~ neighborhood improvement plan must ~~shall~~

1069 show, by diagram and by general explanation:

1070 (a) Such property as is intended for use as public parks,

1071 recreation areas, streets, public utilities, and public

1072 improvements of any nature.

1073 (b) Specific identification of any publicly funded capital

1074 improvement projects to be undertaken within the district.

1075 ~~(c) Adequate assurances that the improvements will be~~

1076 ~~carried out pursuant to the plan.~~

1077 ~~(d) Provision for the retention of controls and the~~

1078 ~~establishment of any restrictions or covenants running with land~~

1079 ~~sold or leased for private use for such periods of time and~~

1080 ~~under such conditions as the governing body of the municipality~~

1081 ~~in which the district is located, or the county if the district~~

1082 ~~is located in the unincorporated portion of the county, deems~~

1083 ~~necessary to effectuate the purposes of this part.~~

1084 (c)(e) Projected costs of improvements, including the

1085 amount to be expended on publicly funded capital improvement

1086 projects in the district and any indebtedness of the district,

1087 the county, or the municipality proposed to be incurred if such

1088 indebtedness is to be repaid with district revenues.

1089 ~~(f) Promotion of advertising programs to be undertaken by~~

1090 ~~the district or in conjunction with businesses in the district.~~

1091 ~~(g) Suggested physical improvements necessary for the~~

1092 ~~safety of residents in or visitors to the district.~~

1093 ~~(h) Law enforcement and security plans for the district.~~

1094 (3) The ~~safe~~ neighborhood improvement plan must ~~shall~~:

1095 (a) Be consistent with the adopted comprehensive plan for
 1096 the county or municipality pursuant to the Community Planning
 1097 Act. No district plan shall be implemented unless the local
 1098 governing body has determined said plan is consistent.

1099 (b) Be sufficiently complete to indicate such land
 1100 acquisition, demolition and removal of structures, street
 1101 modifications, redevelopment, and rehabilitation as may be
 1102 proposed to be carried out in the district.

1103 ~~(c) Provide some method for and measurement of the~~
 1104 ~~reduction of crime within the district.~~

1105 ~~(4) The county, municipality, or district may prepare or~~
 1106 ~~cause to be prepared a safe neighborhood improvement plan, or~~
 1107 ~~any person or agency, public or private, may submit such a plan~~
 1108 ~~to a district. Prior to its consideration of a safe neighborhood~~
 1109 ~~improvement plan, the district shall submit such plan to the~~
 1110 ~~local governing body for review and written approval as to its~~
 1111 ~~consistency with the local government comprehensive plan. The~~
 1112 ~~district must be notified of approval or disapproval within 60~~
 1113 ~~days after receipt of the plan for review, and a revised version~~
 1114 ~~of the plan may be submitted to satisfy any inconsistencies. The~~
 1115 ~~district may not proceed with the safe neighborhood improvement~~
 1116 ~~plan until final approval is given by the local governing body.~~

1117 (4)~~(5)~~ Prior to adoption of the ~~safe~~ neighborhood
 1118 improvement plan, the board shall hold a public hearing on the
 1119 plan after public notice thereof by publication in a newspaper
 1120 of general circulation in the county or municipality in which

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1121 the district is located. The notice shall describe the time,
 1122 date, place, and purpose of the hearing; identify the boundaries
 1123 of the district; and outline the general scope of the plan.

1124 (5)~~(6)~~ The board, after the public hearing, may approve
 1125 the ~~safe~~ neighborhood improvement plan if it finds:

1126 (a) The plan has been approved as consistent with the
 1127 local comprehensive plan by the local governing body; and

1128 (b) The plan will improve the promotion, appearance,
 1129 ~~safety, security,~~ and public amenities of the neighborhood
 1130 improvement district as stipulated in s. 163.502.

1131 (6)~~(7)~~ If, at any time after approval of the ~~safe~~
 1132 neighborhood improvement plan, it becomes desirable to amend or
 1133 modify the plan, the board may do so. Prior to any such
 1134 amendment or modification, the board shall obtain written
 1135 approval of the local governing body concerning conformity to
 1136 the local government comprehensive plan and hold a public
 1137 hearing on the proposed amendment or modification after public
 1138 notice thereof by publication in a newspaper of general
 1139 circulation in the county or municipality in which the district
 1140 is located. The notice shall describe the time, place, and
 1141 purpose of the hearing and generally describe the proposed
 1142 amendment or modification.

1143 ~~(8) Pursuant to s. 163.3184, the governing body of a~~
 1144 ~~municipality or county shall hold two public hearings to~~
 1145 ~~consider the board-adopted safe neighborhood improvement plan as~~
 1146 ~~an amendment or modification to the municipality's or county's~~
 1147 ~~adopted local comprehensive plan.~~

1148 ~~(9) A safe neighborhood improvement plan for each district~~

1149 ~~shall be prepared and adopted by the municipality or county~~
 1150 ~~prior to the levy and expenditure of any of the proceeds of any~~
 1151 ~~tax assessment or fee authorized to such districts other than~~
 1152 ~~for the preparation of the safe community or business~~
 1153 ~~improvement plan.~~

1154 Section 21. Section 163.517, Florida Statutes, is
 1155 repealed.

1156 Section 22. Section 163.519, Florida Statutes, is
 1157 repealed.

1158 Section 23. Section 163.521, Florida Statutes, is
 1159 repealed.

1160 Section 24. Section 163.5215, Florida Statutes, is
 1161 repealed.

1162 Section 25. Section 163.522, Florida Statutes, is
 1163 repealed.

1164 Section 26. Section 163.523, Florida Statutes, is
 1165 repealed.

1166 Section 27. Section 163.524, Florida Statutes, is
 1167 repealed.

1168 Section 28. Section 163.526, Florida Statutes, is
 1169 repealed.

1170 Section 29. Paragraph (c) of subsection (1) of section
 1171 376.84, Florida Statutes, is amended to read:

1172 376.84 Brownfield redevelopment economic incentives.—It is
 1173 the intent of the Legislature that brownfield redevelopment
 1174 activities be viewed as opportunities to significantly improve
 1175 the utilization, general condition, and appearance of these
 1176 sites. Different standards than those in place for new

1177 development, as allowed under current state and local laws,
 1178 should be used to the fullest extent to encourage the
 1179 redevelopment of a brownfield. State and local governments are
 1180 encouraged to offer redevelopment incentives for this purpose,
 1181 as an ongoing public investment in infrastructure and services,
 1182 to help eliminate the public health and environmental hazards,
 1183 and to promote the creation of jobs in these areas. Such
 1184 incentives may include financial, regulatory, and technical
 1185 assistance to persons and businesses involved in the
 1186 redevelopment of the brownfield pursuant to this act.

1187 (1) Financial incentives and local incentives for
 1188 redevelopment may include, but not be limited to:

1189 (c) ~~Safe~~ Neighborhood improvement districts as provided in
 1190 part IV of chapter 163 ss. 163.501-163.523.

1191 Section 30. Subsection (2) of section 775.083, Florida
 1192 Statutes, is amended to read:

1193 775.083 Fines.—

1194 (2) In addition to the fines set forth in subsection (1),
 1195 court costs shall be assessed and collected in each instance a
 1196 defendant pleads nolo contendere to, or is convicted of, or
 1197 adjudicated delinquent for, a felony, a misdemeanor, or a
 1198 criminal traffic offense under state law, or a violation of any
 1199 municipal or county ordinance if the violation constitutes a
 1200 misdemeanor under state law. The court costs imposed by this
 1201 section shall be \$50 for a felony and \$20 for any other offense
 1202 and shall be deposited by the clerk of the court into an
 1203 appropriate county account for disbursement for the purposes
 1204 provided in this subsection. A county shall account for the

1205 funds separately from other county funds as crime prevention
 1206 funds. The county, in consultation with the sheriff, must expend
 1207 such funds for crime prevention programs in the county,
 1208 including ~~safe~~ neighborhood improvement programs under part IV
 1209 of chapter 163 ss. ~~163.501-163.523.~~

1210 Section 31. Paragraphs (a) and (c) of subsection (5) of
 1211 section 932.7055, Florida Statutes, are amended to read:

1212 932.7055 Disposition of liens and forfeited property.—

1213 (5) (a) If the seizing agency is a county or municipal
 1214 agency, the remaining proceeds shall be deposited in a special
 1215 law enforcement trust fund established by the board of county
 1216 commissioners or the governing body of the municipality. Such
 1217 proceeds and interest earned therefrom shall be used for school
 1218 resource officer, crime prevention, ~~safe~~ neighborhood
 1219 improvement, drug abuse education and prevention programs, or
 1220 for other law enforcement purposes, which include defraying the
 1221 cost of protracted or complex investigations, providing
 1222 additional equipment or expertise, purchasing automated external
 1223 defibrillators for use in law enforcement vehicles, and
 1224 providing matching funds to obtain federal grants. The proceeds
 1225 and interest may not be used to meet normal operating expenses
 1226 of the law enforcement agency.

1227 (c) An agency or organization, other than the seizing
 1228 agency, that wishes to receive such funds shall apply to the
 1229 sheriff or chief of police for an appropriation and its
 1230 application shall be accompanied by a written certification that
 1231 the moneys will be used for an authorized purpose. Such requests
 1232 for expenditures shall include a statement describing

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1233 anticipated recurring costs for the agency for subsequent fiscal
 1234 years. An agency or organization that receives money pursuant to
 1235 this subsection shall provide an accounting for such moneys and
 1236 shall furnish the same reports as an agency of the county or
 1237 municipality that receives public funds. Such funds may be
 1238 expended in accordance with the following procedures:

1239 1. Such funds may be used only for school resource
 1240 officer, crime prevention, ~~safe~~ neighborhood improvement, drug
 1241 abuse education, or drug prevention programs or such other law
 1242 enforcement purposes as the board of county commissioners or
 1243 governing body of the municipality deems appropriate.

1244 2. Such funds shall not be a source of revenue to meet
 1245 normal operating needs of the law enforcement agency.

1246 3. After July 1, 1992, and during every fiscal year
 1247 thereafter, any local law enforcement agency that acquires at
 1248 least \$15,000 pursuant to the Florida Contraband Forfeiture Act
 1249 within a fiscal year must expend or donate no less than 15
 1250 percent of such proceeds for the support or operation of any
 1251 drug treatment, drug abuse education, drug prevention, crime
 1252 prevention, ~~safe~~ neighborhood improvement, or school resource
 1253 officer program ~~program(s)~~. The local law enforcement agency has
 1254 the discretion to determine which program or programs ~~program(s)~~
 1255 will receive the designated proceeds.

1256
 1257 Notwithstanding the drug abuse education, drug treatment, drug
 1258 prevention, crime prevention, ~~safe~~ neighborhood improvement, or
 1259 school resource officer minimum expenditures or donations, the
 1260 sheriff and the board of county commissioners or the chief of

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1261 | police and the governing body of the municipality may agree to
1262 | expend or donate such funds over a period of years if the
1263 | expenditure or donation of such minimum amount in any given
1264 | fiscal year would exceed the needs of the county or municipality
1265 | for such program or programs ~~program(s)~~. Nothing in this section
1266 | precludes the expenditure or donation of forfeiture proceeds in
1267 | excess of the minimum amounts established herein.

1268 | Section 32. This act shall take effect July 1, 2012.