

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

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

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

85 neighborhood improvement districts; repealing s.
 86 163.522, F.S., relating to state redevelopment
 87 programs; repealing s. 163.523, F.S., relating to
 88 cooperation and involvement of community organizations
 89 in the creation of safe neighborhood improvement
 90 districts; repealing s. 163.524, F.S., relating to
 91 participation in the Neighborhood Preservation and
 92 Enhancement Program; repealing s. 163.526, F.S.,
 93 relating to powers and duties of the Neighborhood
 94 Councils and the designated agency of the local
 95 government; amending ss. 376.84, 775.083, and
 96 932.7055, F.S.; conforming provisions to changes made
 97 by the act; providing an effective date.

98

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

100 Section 1. Paragraph (d) of subsection (2) of section
 101 163.2511, Florida Statutes, is amended to read:

102 163.2511 Urban infill and redevelopment.—

103 (2) It is declared that:

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

111 Section 2. Paragraph (c) of subsection (3) of section
 112 163.2517, Florida Statutes, is amended to read:

113 163.2517 Designation of urban infill and redevelopment
 114 area.—

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

138 (c) Identify and map existing enterprise zones, community
 139 redevelopment areas, community development corporations,
 140 brownfield areas, downtown redevelopment districts, ~~safe~~

141 neighborhood improvement districts, historic preservation
 142 districts, and empowerment zones or enterprise communities
 143 located within the area proposed for designation as an urban
 144 infill and redevelopment area and provide a framework for
 145 coordinating infill and redevelopment programs within the urban
 146 core.

147 Section 3. Paragraph (a) of subsection (6) of section
 148 163.3182, Florida Statutes, is amended to read:

149 163.3182 Transportation deficiencies.—

150 (6) EXEMPTIONS.—

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

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

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

161 3. A library district.

162 4. A neighborhood improvement district created under the
 163 ~~Safe~~ Neighborhoods Improvement Act.

164 5. A metropolitan transportation authority.

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

166 7. A community redevelopment agency.

167 Section 4. Paragraph (e) of subsection (2) of section
 168 163.3246, Florida Statutes, is amended to read:

169 163.3246 Local government comprehensive planning
170 certification program.—

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

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

175 1. Promote infill development and redevelopment, including
176 prioritized and timely permitting processes in which
177 applications for local development permits within the
178 certification area are acted upon expeditiously for proposed
179 development that is consistent with the local comprehensive
180 plan.

181 2. Promote the development of housing for low-income and
182 very-low-income households or specialized housing to assist
183 elderly and disabled persons to remain at home or in independent
184 living arrangements.

185 3. Achieve effective intergovernmental coordination and
186 address the extrajurisdictional effects of development within
187 the certified area.

188 4. Promote economic diversity and growth while encouraging
189 the retention of rural character, where rural areas exist, and
190 the protection and restoration of the environment.

191 5. Provide and maintain public urban and rural open space
192 and recreational opportunities.

193 6. Manage transportation and land uses to support public
194 transit and promote opportunities for pedestrian and
195 nonmotorized transportation.

196 7. Use design principles to foster individual community

197 identity, create a sense of place, and promote pedestrian-
 198 oriented ~~safe~~ neighborhoods and town centers.

199 8. Redevelop blighted areas.

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

203 10. Encourage clustered, mixed-use development that
 204 incorporates greenspace and residential development within
 205 walking distance of commercial development.

206 11. Encourage urban infill at appropriate densities and
 207 intensities and separate urban and rural uses and discourage
 208 urban sprawl while preserving public open space and planning for
 209 buffer-type land uses and rural development consistent with
 210 their respective character along and outside the certification
 211 area.

212 12. Assure protection of key natural areas and
 213 agricultural lands that are identified using state and local
 214 inventories of natural areas. Key natural areas include, but are
 215 not limited to:

216 a. Wildlife corridors.

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

220 c. Significant surface waters and springs, aquatic
 221 preserves, wetlands, and outstanding Florida waters.

222 d. Water resources suitable for preservation of natural
 223 systems and for water resource development.

224 e. Representative and rare native Florida natural systems.

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225 13. Ensure the cost-efficient provision of public
226 infrastructure and services.

227 Section 5. Paragraph (c) of subsection (2) of section
228 163.387, Florida Statutes, is amended to read:

229 163.387 Redevelopment trust fund.—

230 (2)

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

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

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

241 3. A library district, except a library district in a
242 jurisdiction where the community redevelopment agency had
243 validated bonds as of April 30, 1984.

244 4. A neighborhood improvement district created under the
245 ~~Safe~~ Neighborhoods Improvement Act.

246 5. A metropolitan transportation authority.

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

248 Section 6. Section 163.501, Florida Statutes, is amended
249 to read:

250 163.501 Short title.—This part may be cited as the "~~Safe~~
251 Neighborhoods Improvement Act."

252 Section 7. Section 163.502, Florida Statutes, is amended

253 | to read:

254 | 163.502 ~~Safe~~ Neighborhoods improvement; legislative
255 | findings and purpose.—

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

270 | (2) The Legislature further finds and declares that
271 | healthy and vibrant ~~safe~~ neighborhoods are the product of
272 | planning and implementation of appropriate environmental design
273 | concepts, comprehensive planning ~~crime prevention programs~~, land
274 | use recommendations, and beautification techniques.

275 | (3) The Legislature further finds and declares that the
276 | provisions of this part and the powers granted to local
277 | governments, property owners' associations, special dependent
278 | districts, and community redevelopment neighborhood improvement
279 | districts are desirable to guide and accomplish the coordinated,
280 | balanced, and harmonious development of healthy and vibrant ~~safe~~

281 neighborhoods; to promote the health, ~~safety,~~ and general
 282 welfare of these areas and their inhabitants, visitors, property
 283 owners, and workers; to establish, maintain, and preserve
 284 property values and preserve and foster the development of
 285 attractive neighborhood and business environments; to prevent
 286 ~~overcrowding and congestion; and to improve or redirect~~
 287 automobile traffic and provide pedestrian safety; ~~to reduce~~
 288 ~~crime rates and the opportunities for the commission of crime;~~
 289 ~~and to provide improvements in neighborhoods so they are~~
 290 ~~defensible against crime.~~

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

300 Section 8. Section 163.503, Florida Statutes, is amended
 301 to read:

302 163.503 ~~Safe neighborhoods;~~ Definitions.—

303 (1) "~~Safe~~ Neighborhood improvement district," "district,"
 304 or "neighborhood improvement district" means a district located
 305 in an area in which more than 75 percent of the land is used for
 306 residential purposes, or in an area in which more than 75
 307 percent of the land is used for commercial, office, business, or
 308 industrial purposes, excluding the land area used for public

309 ~~facilities, and where there is a plan to reduce crime through~~
310 ~~the implementation of crime prevention through environmental~~
311 ~~design, environmental security, or defensible space techniques,~~
312 ~~or through community policing innovations. Nothing in This~~
313 section does not ~~shall~~ preclude the inclusion of public land in
314 a neighborhood improvement district although the amount of land
315 used for public facilities is excluded from the land use acreage
316 calculations.

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

320 (3) "Department" means the Department of Economic
321 Opportunity Legal Affairs.

322 (4) "Board" means the board of directors of a neighborhood
323 improvement district, which may be the governing body of a
324 municipality or county or the officers of a property owners'
325 association or the board of directors of a special neighborhood
326 improvement district or community redevelopment neighborhood
327 improvement district.

328 ~~(5) "Environmental security" means an urban planning and~~
329 ~~design process which integrates crime prevention with~~
330 ~~neighborhood design and community development.~~

331 ~~(6) "Crime prevention through environmental design" means~~
332 ~~the planned use of environmental design concepts such as natural~~
333 ~~access control, natural surveillance, and territorial~~
334 ~~reinforcement in a neighborhood or community setting which is~~
335 ~~designed to reduce criminal opportunity and foster positive~~
336 ~~social interaction among the legitimate users of that setting.~~

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

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

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

346 Section 9. Section 163.5035, Florida Statutes, is amended
 347 to read:

348 163.5035 ~~Safe~~ Neighborhood improvement districts;
 349 compliance with special district provisions.—Any special
 350 district created pursuant to this part shall comply with all
 351 applicable provisions contained in chapter 189. In cases where a
 352 provision contained in this part conflicts with a provision in
 353 chapter 189, the provision in chapter 189 shall prevail.

354 Section 10. Section 163.504, Florida Statutes, is amended
 355 to read:

356 163.504 ~~Safe~~ Neighborhood improvement districts; ~~planning~~
 357 ~~funds.~~—

358 ~~(1)~~ The governing body of any municipality or county may
 359 authorize the formation of ~~safe~~ neighborhood improvement
 360 districts through the adoption of an a ~~planning~~ ordinance that
 361 ~~which~~ specifies that such districts may be created by one or
 362 more of the methods established in ss. 163.506, 163.508,
 363 163.511, and 163.512. A ~~No~~ district may not overlap the
 364 jurisdictional boundaries of a municipality and the

365 unincorporated area of a county, unless approved ~~except~~ by
 366 interlocal agreement.

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

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

379 Section 11. Section 163.5055, Florida Statutes, is amended
 380 to read:

381 163.5055 Notice ~~Registration~~ of district establishment;
 382 notice of dissolution.-

383 (1)~~(a)~~ Each neighborhood improvement district authorized
 384 and established under this part shall within 30 days thereof
 385 notify ~~register with both~~ the Department of Economic Opportunity
 386 ~~Community Affairs and the Department of Legal Affairs~~ by
 387 providing the department ~~these departments~~ with the district's
 388 name, location, size, and type, and such other information as
 389 the department ~~departments~~ may request ~~require~~.

390 (2)~~(b)~~ Each local governing body that ~~which~~ authorizes the
 391 dissolution of a district shall notify ~~both~~ the Department of
 392 Economic Opportunity ~~Community Affairs and the Department of~~

393 ~~Legal Affairs~~ within 30 days after the dissolution of the
 394 district.

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

397 Section 12. Section 163.506, Florida Statutes, is amended
 398 to read:

399 163.506 Local government neighborhood improvement
 400 districts; creation; advisory council; dissolution.—

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

407 (a) Specifies the boundaries, size, and name of the
 408 district.

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

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

414 (d) Authorizes the use of special assessments to support
 415 planning and implementation of district improvements pursuant to
 416 the provisions of s. 163.514(16), if the district is a
 417 residential local government neighborhood improvement district
 418 ~~including community policing innovations.~~

419 (e) Designates the local governing body as the board of
 420 directors of the district.

421 (f) Establishes an advisory council to the board of
 422 directors comprised of property owners, representatives of
 423 property owners, business owners, or residents of the district.

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

426 (h) Requires the district to notify the ~~Department of~~
 427 ~~Legal Affairs and the~~ Department of Economic Opportunity
 428 ~~Community Affairs~~ in writing of its establishment within 30 days
 429 thereof pursuant to s. 163.5055.

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

437 1. Bonds issued under this part shall be authorized by
 438 resolution of the governing board of the district and, if
 439 required by the State Constitution, by affirmative vote of the
 440 electors of the district. Such bonds may be issued in one or
 441 more series and shall bear such date or dates, be payable upon
 442 demand or mature at such time or times, bear interest at such
 443 rate or rates, be in such denomination or denominations, be in
 444 such form, registered or not, with or without coupon, carry such
 445 conversion or registration privileges, have such rank or
 446 priority, be executed in such manner, be payable in such medium
 447 of payment, at such place or places, and subject to such terms
 448 of redemption, with or without premium, be secured in such

449 manner, and have such other characteristics as may be provided
450 by such resolution or trust indenture or mortgage issued
451 pursuant thereto.

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

457 3. The governing body of the district may establish and
458 administer such sinking funds as it deems necessary or
459 convenient for the payment, purchase, or redemption of any
460 outstanding bonded indebtedness of the district.

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

467 5. This part shall be full authority for the issuance of
468 bonds authorized herein.

469 (j) Authorizes the district to make and collect special
470 assessments pursuant to ss. 197.3632 and 197.3635 to pay for
471 capital improvements within the district and for reasonable
472 expenses of operating the district, including the payment of
473 expenses included in the district's budget, if the district is a
474 commercial local government neighborhood improvement district.
475 Such assessments may not exceed \$500 for each individual parcel
476 of land per year.

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

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

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

494 2. Within 45 days after compilation of the freeholders'
495 registration list pursuant to subparagraph 1., the city clerk or
496 the supervisor of elections shall notify each such freeholder of
497 the general provisions of this paragraph, including the taxing
498 authority and the date of the upcoming referendum, and the
499 method provided for submitting corrections to the registration
500 list if the status of the freeholder has changed since the
501 compilation of the tax rolls. Notification shall be by first-
502 class United States mail and, in addition thereto, by
503 publication one time in a newspaper of general circulation in
504 the county or municipality in which the district is located.

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

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

515 a. A description of the general provisions of this
 516 paragraph applicable to local government neighborhood
 517 improvement districts;

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

519 c. The percent of the freeholder's interest in such
 520 property; and

521 d. Immediately following the information required in sub-
 522 subparagraphs a.-c., the following:

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

528Yes, for authorizing the levy of up to 2 mills of ad
 529 valorem taxes by such proposed district.

531No, against authorizing the levy of up to 2 mills of ad
 532 valorem taxes by such proposed district."

533
534 "Do you favor authorizing the Local Government
535 Neighborhood Improvement District to borrow money, including the
536 issuance of bonds, as provided by s. 163.506(1)(i)?

537
538Yes, for authorizing the borrowing of money for
539 district purposes.

540
541No, against authorizing the borrowing of money for
542 district purposes."

543
544 "Do you favor authorizing the Local Government
545 Neighborhood Improvement District to impose a special assessment
546 of not greater than \$500 for each individual parcel of land per
547 year to pay for the expenses of operating the neighborhood
548 improvement district and for approved capital improvements?

549
550Yes, for the special assessment.

551
552No, against the special assessment."

553
554 5. Ballots shall be returned by first-class United States
555 mail or by personal delivery.

556 6. All ballots received within 120 days after enactment of
557 the ordinance shall be tabulated by the city clerk or the
558 supervisor of elections, who shall certify the results thereof
559 to the city council or county commission no later than 5 days
560 after the 120-day period.

561 7. The freeholders shall be deemed to have approved of the
 562 provisions of this paragraph at such time as the city clerk or
 563 the supervisor of elections certifies to the governing body of
 564 the municipality or county that approval has been given by
 565 freeholders owning in excess of 50 percent of the assessed value
 566 of the properties represented by ballots cast.

567 8. The city clerk or the supervisor of elections,
 568 whichever is appropriate, shall enclose with each ballot sent
 569 pursuant to this paragraph two envelopes: a secrecy envelope,
 570 into which the freeholder shall enclose the marked ballot; and a
 571 mailing envelope, into which the freeholder shall then place the
 572 secrecy envelope, which shall be addressed to the city clerk or
 573 the supervisor of elections. The back side of the mailing
 574 envelope shall bear a certificate in substantially the following
 575 form:

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

580 VOTER'S CERTIFICATE

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

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

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

a. VERY IMPORTANT. In order to ensure that your ballot will be counted, it should be completed and returned as soon as possible so that it can reach the city clerk or the supervisor

617 of elections no later than 7 p.m. on the (final day of the 120-
 618 day period given here).

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

620 c. Place your marked ballot in the enclosed secrecy
 621 envelope.

622 d. Insert the secrecy envelope into the enclosed mailing
 623 envelope, which is addressed to the city clerk or the supervisor
 624 of elections.

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

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

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

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

634 (2) The advisory council shall perform such duties as may
 635 be prescribed by the governing body and shall submit within the
 636 time period specified by the governing body, acting as the board
 637 of directors, a report on the district's activities and a
 638 proposed budget to accomplish its objectives. In formulating a
 639 plan for services or improvements the advisory board shall
 640 consult in public session with the appropriate staff or
 641 consultants of the local governing body ~~responsible for the~~
 642 ~~district's plan.~~

643 ~~(3) As an alternative to designating the local governing~~
 644 ~~body as the board of directors, a majority of the local~~

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

663 (3)~~(4)~~ A district may be dissolved by the governing body
 664 by rescinding the ordinance creating the district. The governing
 665 body may rescind ~~shall consider rescinding~~ the ordinance if
 666 presented with a petition requesting that it be rescinded.
 667 Petitions related to a residential neighborhood improvement
 668 district must contain ~~containing~~ the signatures of 60 percent of
 669 the residents. Petitions related to a commercial neighborhood
 670 improvement district must contain signatures representing owners
 671 of 60 percent of the land area of the ~~of a~~ district.

672 Section 13. Section 163.508, Florida Statutes, is amended

673 to read:

674 163.508 Property owners' association neighborhood
 675 improvement districts; creation; powers and duties; duration.—

676 (1) After an ~~a local planning~~ ordinance has been adopted
 677 authorizing the creation of property owners' association
 678 neighborhood improvement districts, the local governing body of
 679 a municipality or county may create property owners' association
 680 neighborhood improvement districts by the enactment of a
 681 separate ordinance for each district, ~~which ordinance:~~

682 (a) Establishes that an incorporated property owners'
 683 association representing 75 percent of all owners of property
 684 within a proposed district meeting the requirements of this
 685 section has petitioned the governing body of the municipality or
 686 county for creation of a district for the area encompassed by
 687 the property owned by members of the association.

688 (b) Specifies the boundaries, size, and name of the
 689 district.

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

692 1. Request grants ~~a matching grant from the state's Safe~~
 693 ~~Neighborhoods Program to prepare the first year's safe~~
 694 ~~neighborhood improvement plan. The provider of the local match~~
 695 ~~for the state grant shall be mutually agreed upon between the~~
 696 ~~governing body and the property owners' association. The~~
 697 ~~governing body may agree to provide the match as a no-interest-~~
 698 ~~bearing loan to be paid back from assessments imposed by the~~
 699 ~~association on its members or shareholders.~~

700 2. Provide staff and other technical assistance to the

701 property owners' association on a mutually agreed-upon basis,
 702 contractual or otherwise.

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

706 (d) Provides for an audit of the property owners'
 707 association.

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

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

712 (g) Requires the district to notify the ~~Department of~~
 713 ~~Legal Affairs and the~~ Department of Economic Opportunity
 714 ~~Community Affairs~~ in writing of its establishment within 30 days
 715 thereof pursuant to s. 163.5055.

716 (2) In order to qualify for the creation of a neighborhood
 717 improvement district, the property owners shall form an
 718 association in compliance with this section, or use an existing
 719 property owners' association in compliance with this section,
 720 which shall be a corporation, ~~for profit or not for profit.~~ At
 721 least, ~~and of which not less than~~ 75 percent of all property
 722 owners within the proposed area must consent ~~have consented~~ in
 723 writing to become members ~~or shareholders~~. Upon such consent by
 724 75 percent of the property owners in the proposed district, all
 725 consenting property owners and their successors shall become
 726 members of the association and shall be bound by the provisions
 727 of the articles of incorporation, the bylaws of the association,
 728 the covenants, the deed restrictions, the indentures, and any

729 other properly promulgated restrictions. The association shall
 730 have no member ~~or shareholder~~ who is not a bona fide owner of
 731 property within the proposed district. Upon receipt of its
 732 certificate of incorporation, the property owners' association
 733 shall notify the clerk of the city or county court, whichever is
 734 appropriate, in writing, of such incorporation and shall list
 735 the names and addresses of the officers of the association.

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

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

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

745 (c) To make and collect assessments against all property
 746 within the boundaries of the district pursuant to the provisions
 747 of s. 163.514(16) and to lease, maintain, repair, and
 748 reconstruct any privatized street, land, or common area within
 749 the district upon dedication thereof to the association.

750 (d) Without the joinder of any property owner, to modify,
 751 move, or create any easement for ingress and egress or for the
 752 purpose of utilities, if such easement constitutes part of or
 753 crosses district property. However, this does ~~shall~~ not
 754 authorize the association to modify or move any easement that
 755 ~~which~~ is created in whole or in part for the use or benefit of
 756 anyone other than association members, or that ~~which~~ crosses the

757 | property of anyone other than association members, without the
 758 | consent or approval of such person as required by law or by the
 759 | instrument creating the easement. Nothing in this paragraph
 760 | shall affect the rights of ingress or egress of any member of
 761 | the association.

762 | (4) A property owners' association neighborhood
 763 | improvement district shall continue in perpetuity as long as the
 764 | property owners' association created pursuant to this section
 765 | exists under the applicable laws of the state.

766 | Section 14. Subsections (1), (7), (8), and (10) of section
 767 | 163.511, Florida Statutes, are amended to read:

768 | 163.511 Special neighborhood improvement districts;
 769 | creation; referendum; board of directors; duration; extension.-

770 | (1) After an ~~a local planning~~ ordinance has been adopted
 771 | authorizing the creation of special neighborhood improvement
 772 | districts, the governing body of a municipality or county may
 773 | declare the need for and create special residential or business
 774 | neighborhood improvement districts by the enactment of a
 775 | separate ordinance for each district, ~~which ordinance:~~

776 | (a) Conditions the implementation of the ordinance on the
 777 | approval of a referendum as provided in subsection (2).

778 | (b) Authorizes the special neighborhood improvement
 779 | district to levy an ad valorem tax on real and personal property
 780 | of up to 2 mills annually.

781 | (c) Authorizes the use of special assessments to support
 782 | planning and implementation of district improvements pursuant to
 783 | the provisions of s. 163.514(16), ~~including community policing~~
 784 | ~~innovations.~~

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785 (d) Specifies the boundaries, size, and name of the
 786 district.

787 (e) Authorizes the district to receive a planning grant
 788 from the department.

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

791 (g) May authorize a special neighborhood improvement
 792 district to exercise the power of eminent domain pursuant to
 793 chapters 73 and 74. Any property identified for eminent domain
 794 by the district shall be subject to the approval of the local
 795 governing body before eminent domain procedures are exercised.

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

798 (i) Requires the district to notify the ~~Department of~~
 799 ~~Legal Affairs and the~~ Department of Economic Opportunity
 800 ~~Community Affairs~~ in writing of its establishment within 30 days
 801 thereof pursuant to s. 163.5055.

802 (j) May authorize a special neighborhood improvement
 803 district to develop and implement community policing innovations
 804 in consultation with the local law enforcement agency having
 805 jurisdiction within the district boundaries.

806 (7) The business and affairs of a special neighborhood
 807 improvement district shall be conducted and administered by a
 808 board of three directors who shall be residents of or property
 809 owners within the proposed area and who are subject to ad
 810 valorem taxation in the district. Upon their initial appointment
 811 and qualification and in January of each year thereafter, the
 812 directors shall organize by electing from their number a chair

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813 and a secretary, and may also employ staff and legal
814 representatives as deemed appropriate, who shall serve at the
815 pleasure of the board and may receive such compensation as shall
816 be fixed by the board. The secretary shall keep a record of the
817 proceedings of the district and shall be custodian of all books
818 and records of the district. The directors may ~~shall~~ not receive
819 any compensation for their services, nor may they be employed by
820 the district.

821 (8) Within 30 days of the approval of the creation of a
822 special neighborhood improvement district, if the district is in
823 a municipality, ~~a majority of the governing body of the~~
824 municipality, or if the district is in the unincorporated area
825 of the county, ~~a majority of the county commission,~~ shall
826 appoint the three directors provided for herein for staggered
827 terms of 3 years. The initial appointments shall be as follows:
828 one for a 1-year term, one for a 2-year term, and one for a 3-
829 year term. Each director shall hold office until his or her
830 successor is appointed and qualified unless the director ceases
831 to be qualified to act as a director or is removed from office.
832 Vacancies on the board shall be filled for the unexpired portion
833 of a term in the same manner as the initial appointments were
834 made.

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

841 herein.

842 Section 15. Section 163.512, Florida Statutes, is amended
843 to read:

844 163.512 Community redevelopment neighborhood improvement
845 districts; creation; advisory council; dissolution.—

846 (1) Upon the recommendation of the community redevelopment
847 agency and after an ~~a local planning~~ ordinance has been adopted
848 authorizing the creation of community redevelopment neighborhood
849 improvement districts, the local governing body of a
850 municipality or county may create community redevelopment
851 neighborhood improvement districts by the enactment of a
852 separate ordinance for each district, ~~which ordinance:~~

853 (a) Specifies the boundaries, size, and name of the
854 district.

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

857 (c) Authorizes the use of the community redevelopment
858 trust fund created pursuant to s. 163.387 for the purposes of
859 implementing the district's ~~safe neighborhood~~ improvement plan
860 ~~and furthering crime prevention through community policing~~
861 ~~innovations, environmental design, environmental security, and~~
862 ~~defensible space techniques, if the expenditures ~~from the~~~~
863 ~~community redevelopment trust fund~~ are consistent with the
864 community redevelopment plan created pursuant to s. 163.360.

865 (d) Designates the community redevelopment board of
866 commissioners established pursuant to s. 163.356 or s. 163.357
867 as the board of directors for the district.

868 (e) Establishes an advisory council to the board of

869 directors comprised of property owners or residents of the
870 district.

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

873 (g) Requires that the district's ~~safe~~ neighborhood
874 improvement plan be consistent with the community redevelopment
875 plan created pursuant to s. 163.360, and permits the ~~safe~~
876 neighborhood improvement plan to be included in the community
877 redevelopment plan as an optional element.

878 (h) Requires that the boundaries of the community
879 redevelopment district be contained in whole within the
880 community redevelopment area established pursuant to ss. 163.355
881 and 163.356.

882 (i) Requires the district to notify the ~~Department of~~
883 ~~Legal Affairs and the~~ Department of Economic Opportunity
884 ~~Community Affairs~~ in writing of its establishment within 30 days
885 thereof pursuant to s. 163.5055.

886 (2) The advisory council shall perform such duties as may
887 be prescribed by the community redevelopment board established
888 pursuant to s. 163.356 and shall submit within the time period
889 specified by the board of directors a report on the district's
890 activities and a proposed budget to accomplish its objectives.
891 In formulating a plan for services or improvements, the advisory
892 council shall consult in public session with the appropriate
893 staff or consultants of the community redevelopment board
894 ~~responsible for the district's plan.~~

895 (3) A district may be dissolved by the local governing
896 body by rescinding the ordinance creating the district. The

897 governing body may rescind ~~shall consider rescinding~~ the
 898 ordinance if presented with a petition containing the signatures
 899 of 60 percent of the residents of a district.

900 Section 16. Section 163.513, Florida Statutes, is
 901 repealed.

902 Section 17. Section 163.514, Florida Statutes, is amended
 903 to read:

904 163.514 Powers of neighborhood improvement districts.—
 905 Unless prohibited by ordinance, the board of any district is
 906 ~~shall be~~ empowered to:

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

909 (2) Have and use a corporate seal.

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

915 (4) Accept grants and donations of any type of property,
 916 labor, or other thing of value from any public or private
 917 source.

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

921 (6) Cooperate and contract with other governmental
 922 agencies or other public bodies.

923 (7) Contract for services of planners, engineers,
 924 attorneys, and other ~~planning consultants, experts on crime~~

925 ~~prevention through community policing innovations, environmental~~
 926 ~~design, environmental security, or defensible space, or other~~
 927 ~~experts~~ in areas pertaining to the operations of the board of
 928 directors or the district.

929 (8) Contract with the county or municipal government for
 930 planning assistance, legal advice, and ~~for~~ increased levels of
 931 law enforcement protection and security, including additional
 932 personnel.

933 (9) Promote and advertise the commercial advantages of the
 934 district so as to attract new businesses and encourage the
 935 expansion of existing businesses.

936 (10) Promote and advertise the district to the public and
 937 engage in cooperative advertising programs with businesses
 938 located in the district.

939 (11) Improve, plan, design, construct, operate, provide,
 940 and maintain street lighting, parks, streets, drainage,
 941 utilities, swales, parking facilities, transit facilities,
 942 landscaping, and open areas, and provide ~~safe~~ access to mass
 943 transportation facilities in the district.

944 (12) Undertake innovative approaches to securing
 945 neighborhoods from crime, such as crime prevention through
 946 community policing innovations, environmental design,
 947 environmental security, and defensible space.

948 (13) Privatize, close, vacate, plan, or replan streets,
 949 roads, sidewalks, and alleys, subject to the concurrence of the
 950 local governing body and, if required, the state Department of
 951 Transportation.

952 (14) Prepare, adopt, implement, and modify a ~~safe~~

953 neighborhood improvement plan for the district.

954 (15) Identify areas with blighted influences, including,
 955 but not limited to, areas where unlawful urban dumping or
 956 graffiti are prevalent, and develop programs for eradication
 957 thereof.

958 (16) (a) Subject to referendum approval, and for
 959 residential local government, special, community redevelopment,
 960 and property owners' association neighborhood improvement
 961 districts only, make and collect special assessments pursuant to
 962 ss. 197.3632 and 197.3635 to pay for improvements to the
 963 district and for reasonable expenses of operating the district,
 964 including the payment of expenses included in the district's
 965 budget, subject to an affirmative vote by a majority of the
 966 registered voters residing in the district. Such assessments
 967 shall not exceed \$500 for each individual parcel of land per
 968 year. Notwithstanding the provisions of s. 101.6102, the
 969 referendum to approve the special assessment shall be by mail
 970 ballot.

971 (b) In order to implement this subsection, the city clerk
 972 or the supervisor of elections, whichever is appropriate, shall
 973 compile a list of the names and last known addresses of the
 974 electors in the neighborhood improvement district from the list
 975 of registered voters of the county as of the last day of the
 976 preceding month. The same shall constitute the registration list
 977 for the purposes of a referendum. Within 45 days after
 978 compilation of the voter registration list, the city clerk or
 979 the supervisor of elections shall notify each elector of the
 980 general provisions of this section, including the taxing

981 authority and the date of the upcoming referendum. Notification
 982 shall be by United States mail and, in addition thereto, by
 983 publication one time in a newspaper of general circulation in
 984 the county or municipality in which the district is located.

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

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

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

996 2. Immediately following said information, the following:
 997

998 "Do you favor the imposition of a special assessment of not
 999 greater than \$500 for each individual parcel of land per year to
 1000 pay for the expenses of operating the neighborhood improvement
 1001 district?

1002
 1003Yes, for the special assessment.

1004
 1005No, against the special assessment."
 1006

1007 (e) Ballots shall be returned by United States mail or by
 1008 personal delivery.

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1009 (f) All ballots received within 60 days after the closing
 1010 of registration shall be tabulated by the city clerk or the
 1011 supervisor of elections, who shall certify the results thereof
 1012 to the city governing body or county commission no later than 5
 1013 days after said 60-day period.

1014 (17) Exercise all lawful powers incidental to the
 1015 effective and expedient exercise of the foregoing powers.

1016 Section 18. Subsections (3) and (4) of section 163.5151,
 1017 Florida Statutes, are amended to read:

1018 163.5151 Fiscal management; budget preparation.—

1019 (3) Each local government and special neighborhood
 1020 improvement district levying an ad valorem tax on real or
 1021 personal property shall establish its budget pursuant to the
 1022 provisions of chapter 200. Before adopting ~~Prior to adoption of~~
 1023 the final budget and setting of the millage rate to be levied by
 1024 the board, the board shall submit a tentative budget and
 1025 proposed millage rate of the district to the governing body of
 1026 the municipality in which the district is located, or to the
 1027 county if the district is located in the unincorporated portion
 1028 of the county, for approval or disapproval. Such governing body
 1029 shall have the power to modify the budget or millage submitted
 1030 by the board. Subsequent to approval, the board shall adopt its
 1031 final budget and millage rate in accordance with the
 1032 requirements of chapter 200.

1033 (4) At the option of the county property appraiser for the
 1034 county within which the neighborhood improvement district is
 1035 located, ~~the~~ assessments levied by the district may ~~shall~~ be
 1036 collected in the same manner as all ad valorem taxes if so

1037 requested by the local governing body pursuant to s. 197.363.

1038 Section 19. Section 163.516, Florida Statutes, is amended
 1039 to read:

1040 163.516 ~~Safe~~ Neighborhood improvement plans.—

1041 (1) A ~~safe~~ neighborhood improvement plan is mandated for
 1042 all neighborhood improvement districts. The plan must ~~shall~~
 1043 contain at least the following elements:

1044 (a) Demographics of the district.

1045 ~~(b) Crime activity data and analysis.~~

1046 (b)(e) Land use, zoning, housing, and traffic analysis.

1047 ~~(d) Determination of the problems of the crime-to-~~
 1048 ~~environment relationship and the stability of the neighborhood~~
 1049 ~~improvement district.~~

1050 (c)(e) Statement of the district's goal and objectives.

1051 ~~(f) Assessment of crime prevention through community~~
 1052 ~~policing innovations, environmental design, environmental~~
 1053 ~~security, and defensible space strategies and tactics that will~~
 1054 ~~be applied to the crime-to-environment relationship problems.~~

1055 ~~(g) Cost estimates and the methods of financing.~~

1056 ~~(h) Outline of program participants and their functions~~
 1057 ~~and responsibilities.~~

1058 ~~(i) Schedule for executing program activities.~~

1059 ~~(j) Evaluation guidelines.~~

1060 (2) Every ~~safe~~ neighborhood improvement plan must ~~shall~~
 1061 show, by diagram and by general explanation:

1062 (a) Such property as is intended for use as public parks,
 1063 recreation areas, streets, public utilities, and public
 1064 improvements of any nature.

1065 (b) Specific identification of any publicly funded capital
 1066 improvement projects to be undertaken within the district.

1067 ~~(c) Adequate assurances that the improvements will be~~
 1068 ~~carried out pursuant to the plan.~~

1069 ~~(d) Provision for the retention of controls and the~~
 1070 ~~establishment of any restrictions or covenants running with land~~
 1071 ~~sold or leased for private use for such periods of time and~~
 1072 ~~under such conditions as the governing body of the municipality~~
 1073 ~~in which the district is located, or the county if the district~~
 1074 ~~is located in the unincorporated portion of the county, deems~~
 1075 ~~necessary to effectuate the purposes of this part.~~

1076 (c) ~~(e)~~ Projected costs of improvements, including the
 1077 amount to be expended on publicly funded capital improvement
 1078 projects in the district and any indebtedness of the district,
 1079 the county, or the municipality proposed to be incurred if such
 1080 indebtedness is to be repaid with district revenues.

1081 ~~(f) Promotion of advertising programs to be undertaken by~~
 1082 ~~the district or in conjunction with businesses in the district.~~

1083 ~~(g) Suggested physical improvements necessary for the~~
 1084 ~~safety of residents in or visitors to the district.~~

1085 ~~(h) Law enforcement and security plans for the district.~~

1086 (3) The ~~safe~~ neighborhood improvement plan must ~~shall~~:

1087 (a) Be consistent with the adopted comprehensive plan for
 1088 the county or municipality pursuant to the Community Planning
 1089 Act. No district plan shall be implemented unless the local
 1090 governing body has determined said plan is consistent.

1091 (b) Be sufficiently complete to indicate such land
 1092 acquisition, demolition and removal of structures, street

1093 modifications, redevelopment, and rehabilitation as may be
 1094 proposed to be carried out in the district.

1095 ~~(c) Provide some method for and measurement of the~~
 1096 ~~reduction of crime within the district.~~

1097 ~~(4) The county, municipality, or district may prepare or~~
 1098 ~~cause to be prepared a safe neighborhood improvement plan, or~~
 1099 ~~any person or agency, public or private, may submit such a plan~~
 1100 ~~to a district. Prior to its consideration of a safe neighborhood~~
 1101 ~~improvement plan, the district shall submit such plan to the~~
 1102 ~~local governing body for review and written approval as to its~~
 1103 ~~consistency with the local government comprehensive plan. The~~
 1104 ~~district must be notified of approval or disapproval within 60~~
 1105 ~~days after receipt of the plan for review, and a revised version~~
 1106 ~~of the plan may be submitted to satisfy any inconsistencies. The~~
 1107 ~~district may not proceed with the safe neighborhood improvement~~
 1108 ~~plan until final approval is given by the local governing body.~~

1109 (4)~~(5)~~ Prior to adoption of the ~~safe~~ neighborhood
 1110 improvement plan, the board shall hold a public hearing on the
 1111 plan after public notice thereof by publication in a newspaper
 1112 of general circulation in the county or municipality in which
 1113 the district is located. The notice shall describe the time,
 1114 date, place, and purpose of the hearing; identify the boundaries
 1115 of the district; and outline the general scope of the plan.

1116 (5)~~(6)~~ The board, after the public hearing, may approve
 1117 the ~~safe~~ neighborhood improvement plan if it finds:

1118 (a) The plan has been approved as consistent with the
 1119 local comprehensive plan by the local governing body; and

1120 (b) The plan will improve the promotion, appearance,

1121 ~~safety, security,~~ and public amenities of the neighborhood
 1122 improvement district as stipulated in s. 163.502.

1123 ~~(6)-(7)~~ If, at any time after approval of the ~~safe~~
 1124 neighborhood improvement plan, it becomes desirable to amend or
 1125 modify the plan, the board may do so. Prior to any such
 1126 amendment or modification, the board shall obtain written
 1127 approval of the local governing body concerning conformity to
 1128 the local government comprehensive plan and hold a public
 1129 hearing on the proposed amendment or modification after public
 1130 notice thereof by publication in a newspaper of general
 1131 circulation in the county or municipality in which the district
 1132 is located. The notice shall describe the time, place, and
 1133 purpose of the hearing and generally describe the proposed
 1134 amendment or modification.

1135 ~~(8) Pursuant to s. 163.3184, the governing body of a~~
 1136 ~~municipality or county shall hold two public hearings to~~
 1137 ~~consider the board-adopted safe neighborhood improvement plan as~~
 1138 ~~an amendment or modification to the municipality's or county's~~
 1139 ~~adopted local comprehensive plan.~~

1140 ~~(9) A safe neighborhood improvement plan for each district~~
 1141 ~~shall be prepared and adopted by the municipality or county~~
 1142 ~~prior to the levy and expenditure of any of the proceeds of any~~
 1143 ~~tax assessment or fee authorized to such districts other than~~
 1144 ~~for the preparation of the safe community or business~~
 1145 ~~improvement plan.~~

1146 Section 20. Section 163.517, Florida Statutes, is
 1147 repealed.

1148 Section 21. Section 163.519, Florida Statutes, is

1149 repealed.

1150 Section 22. Section 163.521, Florida Statutes, is
 1151 repealed.

1152 Section 23. Section 163.5215, Florida Statutes, is
 1153 repealed.

1154 Section 24. Section 163.522, Florida Statutes, is
 1155 repealed.

1156 Section 25. Section 163.523, Florida Statutes, is
 1157 repealed.

1158 Section 26. Section 163.524, Florida Statutes, is
 1159 repealed.

1160 Section 27. Section 163.526, Florida Statutes, is
 1161 repealed.

1162 Section 28. Paragraph (c) of subsection (1) of section
 1163 376.84, Florida Statutes, is amended to read:

1164 376.84 Brownfield redevelopment economic incentives.—It is
 1165 the intent of the Legislature that brownfield redevelopment
 1166 activities be viewed as opportunities to significantly improve
 1167 the utilization, general condition, and appearance of these
 1168 sites. Different standards than those in place for new
 1169 development, as allowed under current state and local laws,
 1170 should be used to the fullest extent to encourage the
 1171 redevelopment of a brownfield. State and local governments are
 1172 encouraged to offer redevelopment incentives for this purpose,
 1173 as an ongoing public investment in infrastructure and services,
 1174 to help eliminate the public health and environmental hazards,
 1175 and to promote the creation of jobs in these areas. Such
 1176 incentives may include financial, regulatory, and technical

1177 assistance to persons and businesses involved in the
 1178 redevelopment of the brownfield pursuant to this act.

1179 (1) Financial incentives and local incentives for
 1180 redevelopment may include, but not be limited to:

1181 (c) ~~Safe~~ Neighborhood improvement districts as provided in
 1182 part IV of chapter 163 ~~ss. 163.501-163.523~~.

1183 Section 29. Subsection (2) of section 775.083, Florida
 1184 Statutes, is amended to read:

1185 775.083 Fines.—

1186 (2) In addition to the fines set forth in subsection (1),
 1187 court costs shall be assessed and collected in each instance a
 1188 defendant pleads nolo contendere to, or is convicted of, or
 1189 adjudicated delinquent for, a felony, a misdemeanor, or a
 1190 criminal traffic offense under state law, or a violation of any
 1191 municipal or county ordinance if the violation constitutes a
 1192 misdemeanor under state law. The court costs imposed by this
 1193 section shall be \$50 for a felony and \$20 for any other offense
 1194 and shall be deposited by the clerk of the court into an
 1195 appropriate county account for disbursement for the purposes
 1196 provided in this subsection. A county shall account for the
 1197 funds separately from other county funds as crime prevention
 1198 funds. The county, in consultation with the sheriff, must expend
 1199 such funds for crime prevention programs in the county,
 1200 including ~~safe~~ neighborhood improvement programs under part IV
 1201 of chapter 163 ~~ss. 163.501-163.523~~.

1202 Section 30. Paragraphs (a) and (c) of subsection (5) of
 1203 section 932.7055, Florida Statutes, are amended to read:

1204 932.7055 Disposition of liens and forfeited property.—

1205 (5) (a) If the seizing agency is a county or municipal
 1206 agency, the remaining proceeds shall be deposited in a special
 1207 law enforcement trust fund established by the board of county
 1208 commissioners or the governing body of the municipality. Such
 1209 proceeds and interest earned therefrom shall be used for school
 1210 resource officer, crime prevention, ~~safe~~ neighborhood
 1211 improvement, drug abuse education and prevention programs, or
 1212 for other law enforcement purposes, which include defraying the
 1213 cost of protracted or complex investigations, providing
 1214 additional equipment or expertise, purchasing automated external
 1215 defibrillators for use in law enforcement vehicles, and
 1216 providing matching funds to obtain federal grants. The proceeds
 1217 and interest may not be used to meet normal operating expenses
 1218 of the law enforcement agency.

1219 (c) An agency or organization, other than the seizing
 1220 agency, that wishes to receive such funds shall apply to the
 1221 sheriff or chief of police for an appropriation and its
 1222 application shall be accompanied by a written certification that
 1223 the moneys will be used for an authorized purpose. Such requests
 1224 for expenditures shall include a statement describing
 1225 anticipated recurring costs for the agency for subsequent fiscal
 1226 years. An agency or organization that receives money pursuant to
 1227 this subsection shall provide an accounting for such moneys and
 1228 shall furnish the same reports as an agency of the county or
 1229 municipality that receives public funds. Such funds may be
 1230 expended in accordance with the following procedures:

- 1231 1. Such funds may be used only for school resource
 1232 officer, crime prevention, ~~safe~~ neighborhood improvement, drug

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1233 | abuse education, or drug prevention programs or such other law
 1234 | enforcement purposes as the board of county commissioners or
 1235 | governing body of the municipality deems appropriate.

1236 | 2. Such funds shall not be a source of revenue to meet
 1237 | normal operating needs of the law enforcement agency.

1238 | 3. After July 1, 1992, and during every fiscal year
 1239 | thereafter, any local law enforcement agency that acquires at
 1240 | least \$15,000 pursuant to the Florida Contraband Forfeiture Act
 1241 | within a fiscal year must expend or donate no less than 15
 1242 | percent of such proceeds for the support or operation of any
 1243 | drug treatment, drug abuse education, drug prevention, crime
 1244 | prevention, ~~safe~~ neighborhood improvement, or school resource
 1245 | officer program ~~program(s)~~. The local law enforcement agency has
 1246 | the discretion to determine which program or programs ~~program(s)~~
 1247 | will receive the designated proceeds.

1248 |
 1249 | Notwithstanding the drug abuse education, drug treatment, drug
 1250 | prevention, crime prevention, ~~safe~~ neighborhood improvement, or
 1251 | school resource officer minimum expenditures or donations, the
 1252 | sheriff and the board of county commissioners or the chief of
 1253 | police and the governing body of the municipality may agree to
 1254 | expend or donate such funds over a period of years if the
 1255 | expenditure or donation of such minimum amount in any given
 1256 | fiscal year would exceed the needs of the county or municipality
 1257 | for such program or programs ~~program(s)~~. Nothing in this section
 1258 | precludes the expenditure or donation of forfeiture proceeds in
 1259 | excess of the minimum amounts established herein.

1260 | Section 31. This act shall take effect July 1, 2012.