



238530

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/05/2011	.	
	.	
	.	
	.	

The Committee on Community Affairs (Thrasher) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

163.2511 Urban infill and redevelopment.—

(2) It is declared that:

(d) State urban policies should guide the state, regional agencies, local governments, and the private sector in preserving and redeveloping existing urban cores and promoting the adequate provision of infrastructure, human services,



238530

13 neighborhood improvement ~~safe neighborhoods~~, educational
14 facilities, and economic development to sustain these cores into
15 the future.

16 Section 2. Paragraph (c) of subsection (3) of section
17 163.2517, Florida Statutes, is amended to read:

18 163.2517 Designation of urban infill and redevelopment
19 area.—

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



238530

42 shall also:

43 (c) Identify and map existing enterprise zones, community
44 redevelopment areas, community development corporations,
45 brownfield areas, downtown redevelopment districts, ~~safe~~
46 neighborhood improvement districts, historic preservation
47 districts, and empowerment zones or enterprise communities
48 located within the area proposed for designation as an urban
49 infill and redevelopment area and provide a framework for
50 coordinating infill and redevelopment programs within the urban
51 core.

52 Section 3. Paragraph (a) of subsection (6) of section
53 163.3182, Florida Statutes, is amended to read:

54 163.3182 Transportation deficiencies.—

55 (6) EXEMPTIONS.—

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

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

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

66 3. A library district.

67 4. A neighborhood improvement district created under the
68 ~~Safe~~ Neighborhoods Improvement Act.

69 5. A metropolitan transportation authority.

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



238530

71 7. A community redevelopment agency.
72 Section 4. Paragraph (e) of subsection (2) of section
73 163.3246, Florida Statutes, is amended to read:
74 163.3246 Local government comprehensive planning
75 certification program.—
76 (2) In order to be eligible for certification under the
77 program, the local government must:
78 (e) Demonstrate that it has adopted programs in its local
79 comprehensive plan and land development regulations which:
80 1. Promote infill development and redevelopment, including
81 prioritized and timely permitting processes in which
82 applications for local development permits within the
83 certification area are acted upon expeditiously for proposed
84 development that is consistent with the local comprehensive
85 plan.
86 2. Promote the development of housing for low-income and
87 very-low-income households or specialized housing to assist
88 elderly and disabled persons to remain at home or in independent
89 living arrangements.
90 3. Achieve effective intergovernmental coordination and
91 address the extrajurisdictional effects of development within
92 the certified area.
93 4. Promote economic diversity and growth while encouraging
94 the retention of rural character, where rural areas exist, and
95 the protection and restoration of the environment.
96 5. Provide and maintain public urban and rural open space
97 and recreational opportunities.
98 6. Manage transportation and land uses to support public
99 transit and promote opportunities for pedestrian and



238530

100 nonmotorized transportation.

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

104 8. Redevelop blighted areas.

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

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

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

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

121 a. Wildlife corridors.

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

125 c. Significant surface waters and springs, aquatic
126 preserves, wetlands, and outstanding Florida waters.

127 d. Water resources suitable for preservation of natural
128 systems and for water resource development.



238530

129 e. Representative and rare native Florida natural systems.
130 13. Ensure the cost-efficient provision of public
131 infrastructure and services.

132 Section 5. Paragraph (c) of subsection (2) of section
133 163.387, Florida Statutes, is amended to read:

134 163.387 Redevelopment trust fund.—

135 (2)

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

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

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

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

149 4. A neighborhood improvement district created under the
150 ~~Safe~~ Neighborhoods Improvement Act.

151 5. A metropolitan transportation authority.

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

153 Section 6. Section 163.501, Florida Statutes, is amended to
154 read:

155 163.501 Short title.—This part may be cited as the "~~Safe~~
156 Neighborhoods Improvement Act."

157 Section 7. Section 163.502, Florida Statutes, is amended to



238530

158 read:

159 163.502 ~~Safe~~ Neighborhoods improvement; legislative
160 findings and purpose.—

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

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

180 (3) The Legislature further finds and declares that the
181 provisions of this part and the powers granted to local
182 governments, property owners' associations, special dependent
183 districts, and community redevelopment neighborhood improvement
184 districts are desirable to guide and accomplish the coordinated,
185 balanced, and harmonious development of healthy and vibrant ~~safe~~
186 neighborhoods; to promote the health, ~~safety~~, and general



238530

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

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

205 Section 8. Section 163.503, Florida Statutes, is amended to
206 read:

207 163.503 ~~Safe neighborhoods~~; Definitions.—

208 (1) "~~Safe~~ Neighborhood improvement district," "district,"
209 or "neighborhood improvement district" means a district located
210 in an area in which more than 75 percent of the land is used for
211 residential purposes, or in an area in which more than 75
212 percent of the land is used for commercial, office, business, or
213 industrial purposes, excluding the land area used for public
214 facilities, ~~and where there is a plan to reduce crime through~~
215 ~~the implementation of crime prevention through environmental~~



238530

216 ~~design, environmental security, or defensible space techniques,~~
217 ~~or through community policing innovations. Nothing in This~~
218 section does not ~~shall~~ preclude the inclusion of public land in
219 a neighborhood improvement district although the amount of land
220 used for public facilities is excluded from the land use acreage
221 calculations.

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

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

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

232 ~~(5) "Environmental security" means an urban planning and~~
233 ~~design process which integrates crime prevention with~~
234 ~~neighborhood design and community development.~~

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

241 ~~(7) "Defensible space" means an architectural perspective~~
242 ~~on crime prevention through physical design of the environment~~
243 ~~to create the ability to monitor and control the environment~~
244 ~~along individual perceived zones of territorial influence that~~



238530

245 ~~result in a proprietary interest and a felt responsibility.~~

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

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

250 Section 9. Section 163.5035, Florida Statutes, is amended
251 to read:

252 163.5035 ~~Safe~~ Neighborhood improvement districts;
253 compliance with special district provisions.—Any special
254 district created pursuant to this part shall comply with all
255 applicable provisions contained in chapter 189. In cases where a
256 provision contained in this part conflicts with a provision in
257 chapter 189, the provision in chapter 189 shall prevail.

258 Section 10. Section 163.504, Florida Statutes, is amended
259 to read:

260 163.504 ~~Safe~~ Neighborhood improvement districts, ~~planning~~
261 ~~funds.~~—

262 ~~(1)~~ The governing body of any municipality or county may
263 authorize the formation of ~~safe~~ neighborhood improvement
264 districts through the adoption of an a planning ordinance that
265 ~~which~~ specifies that such districts may be created by one or
266 more of the methods established in ss. 163.506, 163.508,
267 163.511, and 163.512. A ~~No~~ district may not overlap the
268 jurisdictional boundaries of a municipality and the
269 unincorporated area of a county, unless approved ~~except~~ by
270 interlocal agreement.

271 ~~(2) If the governing body of a municipality or county~~
272 ~~elects to create a safe neighborhood improvement district, it~~
273 ~~shall be eligible to request a grant from the Safe Neighborhoods~~



238530

274 ~~Program, created pursuant to s. 163.517 and administered by the~~
275 ~~Department of Legal Affairs, to prepare a safe neighborhood~~
276 ~~improvement plan for the district.~~

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

283 Section 11. Section 163.5055, Florida Statutes, is amended
284 to read:

285 163.5055 Notice Registration of district establishment;
286 notice of dissolution.-

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

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

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

301 Section 12. Section 163.506, Florida Statutes, is amended
302 to read:



238530

303 163.506 Local government neighborhood improvement
304 districts; creation; advisory council; dissolution.—

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

311 (a) Specifies the boundaries, size, and name of the
312 district.

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

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

318 (d) Authorizes the use of special assessments to support
319 planning and implementation of district improvements pursuant to
320 the provisions of s. 163.514(16), if the district is a
321 residential local government neighborhood improvement district
322 ~~including community policing innovations.~~

323 (e) Designates the local governing body as the board of
324 directors of the district.

325 (f) Establishes an advisory council to the board of
326 directors comprised of property owners, representatives of
327 property owners, business owners, or residents of the district.

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

330 (h) Requires the district to notify the Department of Legal
331 Affairs and the Department of Economic Opportunity ~~Community~~



238530

332 ~~Affairs~~ in writing of its establishment within 30 days thereof
333 pursuant to s. 163.5055.

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

341 1. Bonds issued under this part shall be authorized by
342 resolution of the governing board of the district and, if
343 required by the State Constitution, by affirmative vote of the
344 electors of the district. Such bonds may be issued in one or
345 more series and shall bear such date or dates, be payable upon
346 demand or mature at such time or times, bear interest at such
347 rate or rates, be in such denomination or denominations, be in
348 such form, registered or not, with or without coupon, carry such
349 conversion or registration privileges, have such rank or
350 priority, be executed in such manner, be payable in such medium
351 of payment, at such place or places, and subject to such terms
352 of redemption, with or without premium, be secured in such
353 manner, and have such other characteristics as may be provided
354 by such resolution or trust indenture or mortgage issued
355 pursuant thereto.

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



238530

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

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

371 5. This part shall be full authority for the issuance of
372 bonds authorized herein.

373 (j) Authorizes the district to make and collect special
374 assessments pursuant to ss. 197.3632 and 197.3635 to pay for
375 capital improvements within the district and for reasonable
376 expenses of operating the district, including the payment of
377 expenses included in the district's budget, if the district is a
378 commercial local government neighborhood improvement district.
379 Such assessments may not exceed \$1,500 for each individual
380 parcel of land per year.

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

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

386 1. Within 45 days after the date the governing body of the
387 municipality or county enacts an ordinance pursuant to this
388 subsection defining the boundaries of the proposed improvement
389 district, the city clerk or the supervisor of elections,



238530

390 whichever is appropriate, shall certify such ordinance or
391 petition and compile a list of the names and last known
392 addresses of the freeholders in the proposed local government
393 neighborhood improvement district from the tax assessment roll
394 of the county applicable as of December 31 in the year preceding
395 the year in which the ordinance was enacted. Except as otherwise
396 provided in this paragraph, the list shall constitute the
397 registration list for the purposes of the freeholders'
398 referendum required under this paragraph.

399 2. Within 45 days after compilation of the freeholders'
400 registration list pursuant to subparagraph 1., the city clerk or
401 the supervisor of elections shall notify each such freeholder of
402 the general provisions of this paragraph, including the taxing
403 authority and the date of the upcoming referendum, and the
404 method provided for submitting corrections to the registration
405 list if the status of the freeholder has changed since the
406 compilation of the tax rolls. Notification shall be by first-
407 class United States mail and, in addition thereto, by
408 publication one time in a newspaper of general circulation in
409 the county or municipality in which the district is located.

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

416 4. Within 15 days after the closing of the registration
417 list, the city clerk or the supervisor of elections shall send a
418 ballot to each registered freeholder at his or her last known



238530

419 mailing address by first-class United States mail. The ballot
420 shall include:

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

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

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

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

429
430 "Do you favor authorizing the Local Government
431 Neighborhood Improvement District to levy up to 2 mills of ad
432 valorem taxes by such proposed district?

433
434Yes, for authorizing the levy of up to 2 mills of ad
435 valorem taxes by such proposed district.

436
437No, against authorizing the levy of up to 2 mills of ad
438 valorem taxes by such proposed district."

439
440 "Do you favor authorizing the Local Government
441 Neighborhood Improvement District to borrow money, including the
442 issuance of bonds, as provided by s. 163.506(1) (i)?

443
444Yes, for authorizing the borrowing of money for
445 district purposes.

446
447No, against authorizing the borrowing of money for



238530

448 district purposes."

449

450 "Do you favor authorizing the Local Government
451 Neighborhood Improvement District to impose a special assessment
452 of not greater than \$1,500 for each individual parcel of land
453 per year to pay for the expenses of operating the neighborhood
454 improvement district and for approved capital improvements?"

455

456Yes, for the special assessment.

457

458No, against the special assessment."

459

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

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

467 7. The freeholders shall be deemed to have approved of the
468 provisions of this paragraph at such time as the city clerk or
469 the supervisor of elections certifies to the governing body of
470 the municipality or county that approval has been given by
471 freeholders representing in excess of 50 percent of the assessed
472 value of the property within the local government neighborhood
473 improvement district.

474 8. The city clerk or the supervisor of elections, whichever
475 is appropriate, shall enclose with each ballot sent pursuant to
476 this paragraph two envelopes: a secrecy envelope, into which the



238530

477 freeholder shall enclose the marked ballot; and a mailing
478 envelope, into which the freeholder shall then place the secrecy
479 envelope, which shall be addressed to the city clerk or the
480 supervisor of elections. The back side of the mailing envelope
481 shall bear a certificate in substantially the following form:

482
483 NOTE: PLEASE READ INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT
484 AND COMPLETING VOTER'S CERTIFICATE.

485
486 VOTER'S CERTIFICATE

487
488 I,, am a duly qualified and registered freeholder of
489 the proposed... (name)... local government neighborhood
490 improvement district; and I am entitled to vote this ballot. I
491 do solemnly swear or affirm that I have not and will not vote
492 more than one ballot in this election. I understand that failure
493 to sign this certificate and have my signature witnessed will
494 invalidate my ballot.

495
496 ... (Voter's Signature)

497
498 NOTE: YOUR SIGNATURE MUST BE WITNESSED BY ONE WITNESS 18
499 YEARS OF AGE OR OLDER AS PROVIDED IN THE INSTRUCTION SHEET.

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

502
503 ... (Signature of Witness)...

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



238530

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

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

517
518 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

519
520 a. VERY IMPORTANT. In order to ensure that your ballot will
521 be counted, it should be completed and returned as soon as
522 possible so that it can reach the city clerk or the supervisor
523 of elections no later than 7 p.m. on the (final day of the 120-
524 day period given here).

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

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

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

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

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



238530

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

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

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

549 ~~(3) As an alternative to designating the local governing~~
550 ~~body as the board of directors, a majority of the local~~
551 ~~governing body of a city or county may appoint a board of three~~
552 ~~to seven directors for the district who shall be residents of~~
553 ~~the proposed area and who are subject to ad valorem taxation in~~
554 ~~the residential neighborhood improvement district or who are~~
555 ~~property owners in a commercial neighborhood improvement~~
556 ~~district. The directors shall be appointed for staggered terms~~
557 ~~of 3 years. The initial appointments shall be as follows: one~~
558 ~~director for a 1-year term; one director for a 2-year term; and~~
559 ~~one director for a 3-year term. If more than three directors are~~
560 ~~to be appointed, the additional members shall initially be~~
561 ~~appointed for 3-year terms. Vacancies shall be filled for the~~
562 ~~unexpired portion of a term in the same manner as the initial~~
563 ~~appointments were made. Each director shall hold office until~~



238530

564 ~~his or her successor is appointed and qualified unless the~~
565 ~~director ceases to be qualified or is removed from office. Upon~~
566 ~~appointment and qualification and in January of each year, the~~
567 ~~directors shall organize by electing from their number a chair~~
568 ~~and a secretary.~~

569 (3)~~(4)~~ A district may be dissolved by the governing body by
570 rescinding the ordinance creating the district. The governing
571 body may rescind ~~shall consider rescinding~~ the ordinance if
572 presented with a petition requesting that it be rescinded.
573 Petitions related to a residential neighborhood improvement
574 district must contain ~~containing~~ the signatures of 60 percent of
575 the residents. Petitions related to a commercial neighborhood
576 improvement district must contain signatures representing owners
577 of 60 percent of the land area of the ~~of a~~ district.

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

580 163.508 Property owners' association neighborhood
581 improvement districts; creation; powers and duties; duration.—

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

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



238530

593 the property owned by members of the association.

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

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

598 1. Request grants ~~a matching grant from the state's Safe~~
599 ~~Neighborhoods Program to prepare the first year's safe~~
600 ~~neighborhood improvement plan. The provider of the local match~~
601 ~~for the state grant shall be mutually agreed upon between the~~
602 ~~governing body and the property owners' association. The~~
603 ~~governing body may agree to provide the match as a no-interest-~~
604 ~~bearing loan to be paid back from assessments imposed by the~~
605 ~~association on its members or shareholders.~~

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

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

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

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

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

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



238530

622 (2) In order to qualify for the creation of a neighborhood
623 improvement district, the property owners shall form an
624 association in compliance with this section, or use an existing
625 property owners' association in compliance with this section,
626 which shall be a corporation, ~~for profit or~~ not for profit. At
627 least, ~~and of which not less than~~ 75 percent of all property
628 owners within the proposed area must consent ~~have consented~~ in
629 writing to become members ~~or shareholders~~. Upon such consent by
630 75 percent of the property owners in the proposed district, all
631 consenting property owners and their successors shall become
632 members of the association and shall be bound by the provisions
633 of the articles of incorporation, the bylaws of the association,
634 the covenants, the deed restrictions, the indentures, and any
635 other properly promulgated restrictions. The association shall
636 have no member ~~or shareholder~~ who is not a bona fide owner of
637 property within the proposed district. Upon receipt of its
638 certificate of incorporation, the property owners' association
639 shall notify the clerk of the city or county court, whichever is
640 appropriate, in writing, of such incorporation and shall list
641 the names and addresses of the officers of the association.

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

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

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



238530

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

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

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

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

674 163.511 Special neighborhood improvement districts;
675 creation; referendum; board of directors; duration; extension.-

676 (1) After an ~~a local planning~~ ordinance has been adopted
677 authorizing the creation of special neighborhood improvement
678 districts, the governing body of a municipality or county may
679 declare the need for and create special residential or business



238530

680 neighborhood improvement districts by the enactment of a
681 separate ordinance for each district, which ordinance:
682 (a) Conditions the implementation of the ordinance on the
683 approval of a referendum as provided in subsection (2).
684 (b) Authorizes the special neighborhood improvement
685 district to levy an ad valorem tax on real and personal property
686 of up to 2 mills annually.
687 (c) Authorizes the use of special assessments to support
688 planning and implementation of district improvements pursuant to
689 the provisions of s. 163.514(16), ~~including community policing~~
690 ~~innovations.~~
691 (d) Specifies the boundaries, size, and name of the
692 district.
693 (e) Authorizes the district to receive a planning grant
694 from the department.
695 (f) Provides for the appointment of a 3-member board of
696 directors for the district.
697 (g) May authorize a special neighborhood improvement
698 district to exercise the power of eminent domain pursuant to
699 chapters 73 and 74. Any property identified for eminent domain
700 by the district shall be subject to the approval of the local
701 governing body before eminent domain procedures are exercised.
702 (h) May prohibit the use of any district power authorized
703 by s. 163.514.
704 (i) Requires the district to notify the Department of Legal
705 Affairs and the Department of Economic Opportunity Community
706 ~~Affairs~~ in writing of its establishment within 30 days thereof
707 pursuant to s. 163.5055.
708 (j) May authorize a special neighborhood improvement



238530

709 district to develop and implement community policing innovations
710 in consultation with the local law enforcement agency having
711 jurisdiction within the district boundaries.

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

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



238530

738 Vacancies on the board shall be filled for the unexpired portion
739 of a term in the same manner as the initial appointments were
740 made.

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

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

750 163.512 Community redevelopment neighborhood improvement
751 districts; creation; advisory council; dissolution.-

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

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

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

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



238530

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

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

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

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

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

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

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

792 (2) The advisory council shall perform such duties as may
793 be prescribed by the community redevelopment board established
794 pursuant to s. 163.356 and shall submit within the time period
795 specified by the board of directors a report on the district's



238530

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

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

806 Section 16. Section 163.513, Florida Statutes, is repealed.

807 Section 17. Section 163.514, Florida Statutes, is amended
808 to read:

809 163.514 Powers of neighborhood improvement districts.-
810 Unless prohibited by ordinance, the board of any district is
811 ~~shall be~~ empowered to:

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

814 (2) Have and use a corporate seal.

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

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

823 (5) Have exclusive control of funds legally available to
824 it, subject to limitations imposed by law or by any agreement



238530

825 validly entered into by it.

826 (6) Cooperate and contract with other governmental agencies
827 or other public bodies.

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

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

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

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

844 (11) Improve, plan, design, construct, operate, provide,
845 and maintain street lighting, parks, streets, drainage,
846 utilities, swales, parking facilities, transit, landscaping, and
847 open areas, and provide ~~safe~~ access to mass transportation
848 facilities in the district.

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

853 (13) Privatize, close, vacate, plan, or replan streets,



238530

854 roads, sidewalks, and alleys, subject to the concurrence of the
855 local governing body and, if required, the state Department of
856 Transportation.

857 (14) Prepare, adopt, implement, and modify a safe
858 neighborhood improvement plan for the district.

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

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

875 (b) In order to implement this subsection, the city clerk
876 or the supervisor of elections, whichever is appropriate, shall
877 compile a list of the names and last known addresses of the
878 electors in the neighborhood improvement district from the list
879 of registered voters of the county as of the last day of the
880 preceding month. The same shall constitute the registration list
881 for the purposes of a referendum. Within 45 days after
882 compilation of the voter registration list, the city clerk or



238530

883 the supervisor of elections shall notify each elector of the
884 general provisions of this section, including the taxing
885 authority and the date of the upcoming referendum. Notification
886 shall be by United States mail and, in addition thereto, by
887 publication one time in a newspaper of general circulation in
888 the county or municipality in which the district is located.

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

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

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

899 2. Immediately following said information, the following:

900
901 "Do you favor the imposition of a special assessment of not
902 greater than \$500 for each individual parcel of land per year to
903 pay for the expenses of operating the neighborhood improvement
904 district?

905
906Yes, for the special assessment.

907
908No, against the special assessment."

909
910 (e) Ballots shall be returned by United States mail or by
911 personal delivery.



238530

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

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

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

921 163.5151 Fiscal management; budget preparation.-

922 (3) Each local government and special neighborhood
923 improvement district levying an ad valorem tax on real or
924 personal property shall establish its budget pursuant to the
925 provisions of chapter 200. Before adopting ~~Prior to adoption of~~
926 the final budget and setting of the millage rate to be levied by
927 the board, the board shall submit a tentative budget and
928 proposed millage rate of the district to the governing body of
929 the municipality in which the district is located, or to the
930 county if the district is located in the unincorporated portion
931 of the county, for approval or disapproval. Such governing body
932 shall have the power to modify the budget or millage submitted
933 by the board. Subsequent to approval, the board shall adopt its
934 final budget and millage rate in accordance with the
935 requirements of chapter 200.

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



238530

941 Section 19. Section 163.516, Florida Statutes, is amended
942 to read:

943 163.516 ~~Safe~~ Neighborhood improvement plans.—

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

947 (a) Demographics of the district.

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

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

950 ~~(d) Determination of the problems of the crime-to-~~
951 ~~environment relationship and the stability of the neighborhood~~
952 ~~improvement district.~~

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

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

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

959 ~~(h) Outline of program participants and their functions and~~
960 ~~responsibilities.~~

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

962 ~~(j) Evaluation guidelines.~~

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

965 (a) Such property as is intended for use as public parks,
966 recreation areas, streets, public utilities, and public
967 improvements of any nature.

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



238530

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

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

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

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

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

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

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

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

994 (b) Be sufficiently complete to indicate such land
995 acquisition, demolition and removal of structures, street
996 modifications, redevelopment, and rehabilitation as may be
997 proposed to be carried out in the district.

998 ~~(c) Provide some method for and measurement of the~~



238530

999 ~~reduction of crime within the district.~~

1000 ~~(4) The county, municipality, or district may prepare or~~
1001 ~~cause to be prepared a safe neighborhood improvement plan, or~~
1002 ~~any person or agency, public or private, may submit such a plan~~
1003 ~~to a district. Prior to its consideration of a safe neighborhood~~
1004 ~~improvement plan, the district shall submit such plan to the~~
1005 ~~local governing body for review and written approval as to its~~
1006 ~~consistency with the local government comprehensive plan. The~~
1007 ~~district must be notified of approval or disapproval within 60~~
1008 ~~days after receipt of the plan for review, and a revised version~~
1009 ~~of the plan may be submitted to satisfy any inconsistencies. The~~
1010 ~~district may not proceed with the safe neighborhood improvement~~
1011 ~~plan until final approval is given by the local governing body.~~

1012 ~~(4)(5)~~ Prior to adoption of the safe neighborhood
1013 improvement plan, the board shall hold a public hearing on the
1014 plan after public notice thereof by publication in a newspaper
1015 of general circulation in the county or municipality in which
1016 the district is located. The notice shall describe the time,
1017 date, place, and purpose of the hearing; identify the boundaries
1018 of the district; and outline the general scope of the plan.

1019 ~~(5)(6)~~ The board, after the public hearing, may approve the
1020 safe neighborhood improvement plan if it finds:

1021 (a) The plan has been approved as consistent with the local
1022 comprehensive plan by the local governing body; and

1023 (b) The plan will improve the promotion, appearance,
1024 ~~safety, security,~~ and public amenities of the neighborhood
1025 improvement district as stipulated in s. 163.502.

1026 ~~(6)(7)~~ If, at any time after approval of the safe
1027 neighborhood improvement plan, it becomes desirable to amend or



238530

1028 modify the plan, the board may do so. Prior to any such
1029 amendment or modification, the board shall obtain written
1030 approval of the local governing body concerning conformity to
1031 the local government comprehensive plan and hold a public
1032 hearing on the proposed amendment or modification after public
1033 notice thereof by publication in a newspaper of general
1034 circulation in the county or municipality in which the district
1035 is located. The notice shall describe the time, place, and
1036 purpose of the hearing and generally describe the proposed
1037 amendment or modification.

1038 ~~(8) Pursuant to s. 163.3184, the governing body of a~~
1039 ~~municipality or county shall hold two public hearings to~~
1040 ~~consider the board adopted safe neighborhood improvement plan as~~
1041 ~~an amendment or modification to the municipality's or county's~~
1042 ~~adopted local comprehensive plan.~~

1043 ~~(9) A safe neighborhood improvement plan for each district~~
1044 ~~shall be prepared and adopted by the municipality or county~~
1045 ~~prior to the levy and expenditure of any of the proceeds of any~~
1046 ~~tax assessment or fee authorized to such districts other than~~
1047 ~~for the preparation of the safe community or business~~
1048 ~~improvement plan.~~

1049 Section 20. Section 163.517, Florida Statutes, is repealed.

1050 Section 21. Section 163.519, Florida Statutes, is repealed.

1051 Section 22. Section 163.521, Florida Statutes, is repealed.

1052 Section 23. Section 163.5215, Florida Statutes, is
1053 repealed.

1054 Section 24. Section 163.522, Florida Statutes, is repealed.

1055 Section 25. Section 163.523, Florida Statutes, is repealed.

1056 Section 26. Section 163.524, Florida Statutes, is repealed.



238530

1057 Section 27. Section 163.526, Florida Statutes, is repealed.

1058 Section 28. Paragraph (c) of subsection (1) of section
1059 376.84, Florida Statutes, is amended to read:

1060 376.84 Brownfield redevelopment economic incentives.—It is
1061 the intent of the Legislature that brownfield redevelopment
1062 activities be viewed as opportunities to significantly improve
1063 the utilization, general condition, and appearance of these
1064 sites. Different standards than those in place for new
1065 development, as allowed under current state and local laws,
1066 should be used to the fullest extent to encourage the
1067 redevelopment of a brownfield. State and local governments are
1068 encouraged to offer redevelopment incentives for this purpose,
1069 as an ongoing public investment in infrastructure and services,
1070 to help eliminate the public health and environmental hazards,
1071 and to promote the creation of jobs in these areas. Such
1072 incentives may include financial, regulatory, and technical
1073 assistance to persons and businesses involved in the
1074 redevelopment of the brownfield pursuant to this act.

1075 (1) Financial incentives and local incentives for
1076 redevelopment may include, but not be limited to:

1077 (c) ~~Safe~~ Neighborhood improvement districts as provided in
1078 part IV of chapter 163 ss. 163.501-163.523.

1079 Section 29. Subsection (2) of section 775.083, Florida
1080 Statutes, is amended to read:

1081 775.083 Fines.—

1082 (2) In addition to the fines set forth in subsection (1),
1083 court costs shall be assessed and collected in each instance a
1084 defendant pleads nolo contendere to, or is convicted of, or
1085 adjudicated delinquent for, a felony, a misdemeanor, or a



238530

1086 criminal traffic offense under state law, or a violation of any
1087 municipal or county ordinance if the violation constitutes a
1088 misdemeanor under state law. The court costs imposed by this
1089 section shall be \$50 for a felony and \$20 for any other offense
1090 and shall be deposited by the clerk of the court into an
1091 appropriate county account for disbursement for the purposes
1092 provided in this subsection. A county shall account for the
1093 funds separately from other county funds as crime prevention
1094 funds. The county, in consultation with the sheriff, must expend
1095 such funds for crime prevention programs in the county,
1096 including ~~safe~~ neighborhood improvement programs under part IV
1097 of chapter 163 ss. ~~163.501-163.523~~.

1098 Section 30. Paragraphs (a) and (c) of subsection (5) of
1099 section 932.7055, Florida Statutes, are amended to read:

1100 932.7055 Disposition of liens and forfeited property.—

1101 (5) (a) If the seizing agency is a county or municipal
1102 agency, the remaining proceeds shall be deposited in a special
1103 law enforcement trust fund established by the board of county
1104 commissioners or the governing body of the municipality. Such
1105 proceeds and interest earned therefrom shall be used for school
1106 resource officer, crime prevention, ~~safe~~ neighborhood
1107 improvement, drug abuse education and prevention programs, or
1108 for other law enforcement purposes, which include defraying the
1109 cost of protracted or complex investigations, providing
1110 additional equipment or expertise, purchasing automated external
1111 defibrillators for use in law enforcement vehicles, and
1112 providing matching funds to obtain federal grants. The proceeds
1113 and interest may not be used to meet normal operating expenses
1114 of the law enforcement agency.



238530

1115 (c) An agency or organization, other than the seizing
1116 agency, that wishes to receive such funds shall apply to the
1117 sheriff or chief of police for an appropriation and its
1118 application shall be accompanied by a written certification that
1119 the moneys will be used for an authorized purpose. Such requests
1120 for expenditures shall include a statement describing
1121 anticipated recurring costs for the agency for subsequent fiscal
1122 years. An agency or organization that receives money pursuant to
1123 this subsection shall provide an accounting for such moneys and
1124 shall furnish the same reports as an agency of the county or
1125 municipality that receives public funds. Such funds may be
1126 expended in accordance with the following procedures:

1127 1. Such funds may be used only for school resource officer,
1128 crime prevention, ~~safe~~ neighborhood improvement, drug abuse
1129 education, or drug prevention programs or such other law
1130 enforcement purposes as the board of county commissioners or
1131 governing body of the municipality deems appropriate.

1132 2. Such funds shall not be a source of revenue to meet
1133 normal operating needs of the law enforcement agency.

1134 3. After July 1, 1992, and during every fiscal year
1135 thereafter, any local law enforcement agency that acquires at
1136 least \$15,000 pursuant to the Florida Contraband Forfeiture Act
1137 within a fiscal year must expend or donate no less than 15
1138 percent of such proceeds for the support or operation of any
1139 drug treatment, drug abuse education, drug prevention, crime
1140 prevention, ~~safe~~ neighborhood improvement, or school resource
1141 officer program ~~program(s)~~. The local law enforcement agency has
1142 the discretion to determine which program or programs ~~program(s)~~
1143 will receive the designated proceeds.



238530

1144
1145 Notwithstanding the drug abuse education, drug treatment,
1146 drug prevention, crime prevention, ~~safe~~ neighborhood
1147 improvement, or school resource officer minimum expenditures or
1148 donations, the sheriff and the board of county commissioners or
1149 the chief of police and the governing body of the municipality
1150 may agree to expend or donate such funds over a period of years
1151 if the expenditure or donation of such minimum amount in any
1152 given fiscal year would exceed the needs of the county or
1153 municipality for such program or programs ~~program(s)~~. Nothing in
1154 this section precludes the expenditure or donation of forfeiture
1155 proceeds in excess of the minimum amounts established herein.

1156 Section 31. This act shall take effect July 1, 2012.

1157
1158
1159 ===== T I T L E A M E N D M E N T =====

1160 And the title is amended as follows:

1161 Delete everything before the enacting clause
1162 and insert:

1163 A bill to be entitled

1164 An act relating to neighborhood improvement districts;
1165 amending ss. 163.2511, 163.2517, 163.3182, 163.3246, and
1166 163.387, F.S.; conforming provisions to changes made by the act;
1167 amending s. 163.501, F.S.; renaming the "Safe Neighborhoods Act"
1168 as the "Neighborhoods Improvement Act"; amending s. 163.502,
1169 F.S.; revising legislative findings and purpose; amending s.
1170 163.503, F.S.; revising and deleting definitions; amending s.
1171 163.5035, F.S.; conforming provisions to changes made by the
1172 act; amending s. 163.504, F.S.; authorizing the governing body



238530

1173 of any municipality or county to form a neighborhood improvement
1174 district through the adoption of an ordinance rather than by a
1175 planning ordinance; removing provisions pertaining to the
1176 creation and funding of safe neighborhood improvement districts;
1177 amending s. 163.5055, F.S.; requiring each neighborhood
1178 improvement district authorized under law to notify the
1179 Department of Economic Opportunity and the Department of Legal
1180 Affairs of its existence rather than to register with such
1181 departments; amending s. 163.506, F.S.; revising provisions
1182 authorizing a local governing body to create a local government
1183 neighborhood improvement district; specifying that the ordinance
1184 may authorize the improvement district to borrow money, contract
1185 loans, and issue bonds; authorizing the governing body of the
1186 improvement district to levy ad valorem taxes upon real and
1187 tangible personal property within the district; authorizing the
1188 district to make and collect special assessments; conditioning
1189 the exercise of power by the local government neighborhood
1190 improvement district to borrow money, contract loans, issue
1191 bonds, charge, collect, and enforce fees, make and collect
1192 special assessments, and levy ad valorem taxes upon real and
1193 tangible personal property within the district upon the approval
1194 of a referendum by the freeholders of the district; providing
1195 ballot requirements; removing provisions allowing an alternative
1196 organization for the board of directors; amending s. 163.508,
1197 F.S., relating to property owners' association neighborhood
1198 improvement districts; revising the requirements for creating a
1199 property owners' association neighborhood improvement district
1200 by the enactment of a separate ordinance for each district;
1201 authorizing the governing body to request grants from the state;



238530

1202 amending s. 163.511, F.S., relating to special neighborhood
1203 improvement districts; revising provisions to conform to changes
1204 made by the act; revising the method of appointing and removing
1205 directors of the district; amending s. 163.512, F.S.; revising
1206 provisions authorizing a municipality or county to create a
1207 community redevelopment neighborhood improvement district;
1208 authorizing the district to receive grants and other funding;
1209 providing that the local governing body may dissolve the
1210 district under certain circumstances; repealing s. 163.513,
1211 F.S., relating to crime prevention through community policing
1212 innovations; amending s. 163.514, F.S.; revising the powers of
1213 neighborhood improvement districts; allowing the district to
1214 contract with legal counsel and other needed professionals;
1215 authorizing the district to collect special assessments under
1216 certain circumstances and following designated procedures;
1217 amending s. 163.5151, F.S.; requiring a local government and a
1218 special neighborhood improvement district to prepare its budget
1219 in a specified manner if levying an ad valorem tax on real or
1220 personal property; amending s. 163.516, F.S.; requiring
1221 neighborhood improvement plans to be created for each
1222 improvement district; revising the contents of the neighborhood
1223 improvement district's plan; repealing s. 163.517, F.S.,
1224 relating to the Safe Neighborhoods Program; repealing s.
1225 163.519, F.S., relating to the duties of the Department of Legal
1226 Affairs relating to neighborhood improvement districts;
1227 repealing s. 163.521, F.S., relating to funding for a
1228 neighborhood improvement district inside an enterprise zone;
1229 repealing s. 163.5215, F.S., relating to the effect and
1230 construction of existing laws relating to neighborhood



238530

1231 improvement districts; repealing s. 163.522, F.S., relating to
1232 state redevelopment programs; repealing s. 163.523, F.S.,
1233 relating to cooperation and involvement of community
1234 organizations in the creation of safe neighborhood improvement
1235 districts; repealing s. 163.524, F.S., relating to participation
1236 in the Neighborhood Preservation and Enhancement Program;
1237 repealing s. 163.526, F.S., relating to powers and duties of the
1238 Neighborhood Councils and the designated agency of the local
1239 government; amending ss. 376.84, 775.083, and 932.7055, F.S.;
1240 conforming provisions to changes made by the act; providing an
1241 effective date.