

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Budget Subcommittee on Finance and Tax

BILL: SB 800

INTRODUCER: Senator Negrón

SUBJECT: County Boundary Lines

DATE: December 8, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Toman</u>	<u>Yeatman</u>	<u>CA</u>	Favorable
2.	<u>Fournier</u>	<u>Diez-Arguelles</u>	<u>FT</u>	Pre-Meeting
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill moves a 129-acre area from the jurisdiction of St. Lucie County to Martin County. The bill substantially amends sections 7.43 and 7.59 of the Florida Statutes.

II. Present Situation:

History of Counties in Florida

While the provisional government and territorial councils provided for county forms of government in Florida, counties did not receive constitutional status until 1861. The Constitution of 1885 first recognized counties as legal subdivisions of the state. In addition, the Legislature was granted the power to create new counties and alter county boundaries.¹ Gilchrist County was created in 1925 as the last of Florida's current 67 counties.²

The revised State Constitution of 1968 amended the provision in the 1885 Constitution relating to county formation. Section 1(a), Art. VIII of the State Constitution of 1968, states:

¹ Economic Affairs Committee, The Florida House of Representatives, *Local Government Formation Manual, 2010-2011*, <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2605&Session=2011&DocumentType=General%20Publications&FileName=Local%20Government%20Formation%20Manual%202010%20-%20202011.pdf>.

² See *id.* citing Allen Morris, *The Florida Handbook 1993-1994*, (Tallahassee, Florida: The Peninsular Publishing Company, 1993), pp. 416-418.

The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment and apportionment of the public debt.

Chapter 7, F.S., provides the boundary lines for Florida's 67 counties. Chapter 125, F.S., outlines the powers and duties of counties.

County boundary changes of the past 25 years include those involving:

- Franklin and Wakulla counties in 1986,³
- Escambia and Santa Rosa counties in 1991,⁴
- Citrus and Levy counties in 1994,⁵ and
- Broward and Palm Beach counties in 2007⁶

Beau Rivage

The 129 acres that are the subject of this bill are known as Beau Rivage which abuts the north fork of the St. Lucie River in St. Lucie County. The area currently features 223 single family homes and 27 vacant lots and is divided into six subdivisions.⁷ Although part of St. Lucie County physically, the area is not directly connected to the rest of the county by a county-owned or maintained right-of-way. Access is via Britt Road from U.S. 1 in Martin County. Beau Rivage's 550-plus residents all have Stuart, Florida, addresses.

By interlocal agreement between the St. Lucie County School Board and the Martin County School Board, students residing in Beau Rivage may attend schools located in Martin County. There is also a mutual aid agreement in place between the St. Lucie County Fire District and Martin County Fire Rescue. All properties within Beau Rivage are served by septic tanks and wells.

III. Effect of Proposed Changes:

Section 1 amends s. 7.43, F.S., to expand the boundary lines of Martin County to include an additional 129 acres.

Section 2 amends s. 7.59, F.S., to contract the boundary lines of St. Lucie County to remove 129 acres.

Section 3 provides that this act shall take effect July 1, 2012.

³ Chapter 86-288, Laws of Fla.

⁴ Chapter 91-310, Laws of Fla.

⁵ Chapter 94-313, Laws of Fla.

⁶ Chapter 2007-222, Laws of Fla.

⁷ E-mail from Audrey Jackson, Governmental Affairs Manager, St. Lucie County Property Appraiser's Office, (Dec. 20, 2011) (on file with the Senate Committee on Community Affairs). The six subdivisions are Bay Colony, Beau Rivage, Blair, Eventide, Howard Creek Estates, and The Plantations.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Residents in the Beau Rivage area may experience changes in emergency response times. These residents would be subject to Martin County taxing authorities rather than St. Lucie County taxing authorities.

C. Government Sector Impact:

Martin County and St. Lucie County will experience corresponding increases or decreases to their tax bases. According to the St. Lucie County Property Appraiser's Office, the 2011 taxable value of the Beau Rivage area is \$59,549,039.⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

⁸ On file with the Senate Committee on Community Affairs.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
