

ENROLLED
CS/HB 1281

2013 Legislature

1
2 An act relating to East County Water Control District,
3 Hendry and Lee Counties; amending chapter 2000-423,
4 Laws of Florida; authorizing the board of
5 commissioners to exercise additional powers relating
6 to public improvements and community facilities and
7 their funding; providing for applicability; providing
8 an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
11

12 Section 1. Subsections (4) and (5) are added to section 7
13 of section 3 of chapter 2000-423, Laws of Florida, to read:

14 Section 7. Public improvements and community facilities.—

15 In addition to the powers provided in chapter 298, Florida
16 Statutes, the District shall have, and the Board may exercise,
17 subject to the regulatory jurisdiction and permitting authority
18 of all applicable governmental bodies, agencies, and special
19 districts having authority with respect to any area included
20 therein, any or all of the following special powers relating to
21 public improvements and community facilities authorized by this
22 act:

23 (4) Street lighting and sidewalk facilities.—The power to
24 finance, fund, plan, establish, design, acquire, install,
25 construct or reconstruct, enlarge or extend, equip, operate, and
26 maintain at the District's discretion:

ENROLLED
CS/HB 1281

2013 Legislature

27 (a) Street lights and associated facilities and
28 appurtenances thereto, including electrical utilities required
29 for their operation.

30 (b) Sidewalk facilities that complement or are situated
31 within or adjacent to public road rights-of-way.

32 (5) Funding.—In order for the District to initially
33 commence the assessment and subsequent levy or multiple year
34 levies of non-ad valorem assessments in order to fund, on a per-
35 project basis, the acquisition, installation, construction, or
36 maintenance of improvements and facilities described in
37 subsection (4), the District shall, for each such project:

38 (a) Conclude the selection between and comply with the
39 applicable implementation provisions of:

40 1. Sections 190.021(2) through (10) and 190.022, Florida
41 Statutes; or

42 2. Sections 298.225 and 298.301, Florida Statutes.

43 (b) Obtain approval from a majority of the qualified
44 electors who will be benefited and obligated to pay such
45 subsequently levied non-ad valorem assessments with the process
46 by which such approval is demonstrated to be determined by the
47 Board of Commissioners in accordance with chapter 189, Florida
48 Statutes.

49
50 The special powers relating to public improvements and community
51 facilities described in subsections (4) and (5) do not apply
52 within any portion of Hendry County. Prior to the District
53 having the powers described in subsection (2), the additional
54 power granted to the District must receive approval by a

ENROLLED
CS/HB 1281

2013 Legislature

55 majority vote of the qualified electors of the district voting
56 in a referendum election to be called by the District at the
57 next general election, with the exception of the following three
58 parks:

59 (a) Lake Camille Park.

60 (b) Williams Park.

61 (c) Eco Park.

62 Section 2. This act shall take effect upon becoming a law.