

By Senator Ring

29-00281B-13

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1 A bill to be entitled
 2 An act relating to special districts; creating s.
 3 189.414, F.S.; requiring public facilities projects of
 4 independent special districts with taxing authority to
 5 be approved by the appropriate local general-purpose
 6 government; requiring a local government
 7 representative to serve as an ex officio, nonvoting
 8 member of the district; providing exemptions; amending
 9 s. 189.415, F.S.; conforming provisions to changes
 10 made by the act; providing an effective date.

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

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 14 Section 1. Section 189.414, Florida Statutes, is created to
 15 read:

16 189.414 Local government approval of public facilities.—

17 (1) Notwithstanding any other general or special law,
 18 proposals by an independent special district that has ad valorem
 19 taxing authority to build, improve, or expand public facilities
 20 which require the expenditure of public funds must be approved
 21 by the appropriate local general-purpose government as follows:

22 (a) All public facilities of a single-county independent
 23 special district must be approved by the county or municipality
 24 in which the district is located or by the local government that
 25 created the district.

26 (b) Any single-county district that serves an area that
 27 extends beyond the boundaries of one general-purpose local
 28 government must be approved by the county.

29 (2) Notwithstanding any other general or special law, in

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30 order to facilitate the public facility expenditure approval
31 process required under this section, a representative of the
32 appropriate local general-purpose government shall be included
33 as an ex officio, nonvoting member of each affected independent
34 special district governing board.

35 (3) The requirement for local government approval under
36 this section does not apply to special districts for children's
37 services established pursuant to part V of chapter 125, fire
38 control districts established pursuant to chapter 191, and
39 hospital districts created by general law or special act.

40 Section 2. Paragraph (b) of subsection (2) and subsection
41 (6) of section 189.415, Florida Statutes, are amended to read:

42 189.415 Special district public facilities report.—

43 (2) Each independent special district shall submit to each
44 local general-purpose government in which it is located a public
45 facilities report and an annual notice of any changes. The
46 public facilities report shall specify the following
47 information:

48 (b) A description of each approved public facility the
49 district is building, improving, or expanding, or is currently
50 proposing to build, improve, or expand within at least the next
51 7 years if approved pursuant to s. 189.414, including any
52 facilities that the district is assisting another entity, except
53 a local general-purpose government, to build, improve, or expand
54 through a lease or other agreement with the district. For each
55 public facility identified, the report must ~~shall~~ describe how
56 the district currently proposes to finance the facility.

57 (6) For purposes of obtaining local government approval of
58 proposed public facilities and the preparation or revision of

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59 local government comprehensive plans required pursuant to s.
60 163.3161, a special district public facilities report may be
61 used and relied upon by the local general-purpose government or
62 governments within which the special district is located.
63 Section 3. This act shall take effect October 1, 2013.