

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	CS/HB 1339	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Local Government Affairs Subcommittee; O'Toole	104 Y's	0 N's
COMPANION BILLS:	None	GOVERNOR'S ACTION:	Approved

SUMMARY ANALYSIS

CS/HB 1339 passed the House on March 7, 2015, and subsequently passed the Senate on March 9, 2016. This bill repeals the 1957 charter of the City of Webster and replaces it with a modern charter enabling the city to take advantage of the home rule authority provided by the Florida Constitution and statute.

The City of Webster, located in Sumter County, is still operating under the charter that was passed by the Legislature in 1957, which is 115 pages long and contains numerous outdated provisions. Since this charter was adopted before the 1968 Florida Constitution it includes no provisions for home rule. By its terms the charter "may from time to time be amended by duly enacted acts of the legislature of the State of Florida." The Legislature has made no changes to this charter since it was enacted in 1957.

This bill has no fiscal impact.

The bill was approved by the Governor on March 25, 2016, ch. 2016-263, L.O.F., and became effective on that date.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

The City of Webster, located in Sumter County, still operates under the charter passed by the Legislature in 1957.¹ Since this charter was adopted before the 1968 Florida Constitution it includes no provisions for home rule. Furthermore, the charter states that it “may from time to time be amended by duly enacted acts of the legislature of the State of Florida.”² The Legislature has made no changes to this charter since it was enacted in 1957.

The Florida Constitution adopted in 1968 provides municipalities with the powers of home rule.³ In addition, the Legislature adopted the “Municipal Home Rule Powers Act”⁴ to further define and grant the powers of municipalities. As a result, modern municipal charters need not include exhaustive details listing everything the municipality is permitted to do and the Legislature is not routinely called upon to amend the charters of municipalities.

The City of Webster’s 1957 Charter is 115 pages long and includes numerous outdated provisions including exhaustive detail about the municipality’s power to do everything from improving sidewalks⁵ to regulating street music⁶.

This bill repeals the 1957 Charter and replaces it with a modern charter enabling the city to take advantage of the home rule authority provided by the Florida Constitution and statute. The provisions of this modern charter are detailed in the Section Directory below.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None
2. Expenditures: None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None
2. Expenditures: None

C. ECONOMIC IMPACT STATEMENT FILED? Yes No

D. NOTICE PUBLISHED? Yes No

IF YES, WHEN? December 1, 2015

¹ Ch. 57-1944, Laws of Fla.

² Ch. 57-1944, s. 12.04 of s. 10 Laws of Fla.

³ Art. VIII, s. 2, Fla. Const.

⁴ Ch. 166, F.S.

⁵ Ch. 57-1944, s. 12.05(25) of s. 10, Laws of Fla.

⁶ Ch. 57-1944, s. 12.05(62) of s. 10, Laws of Fla.

WHERE? Daily Commercial, a daily newspaper published in Lake and Sumter Counties

E. REFERENDUM(S) REQUIRED? Yes No