

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Raburn offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:
6 Section 1. Paragraphs (c) and (d) of subsection (3) of
7 section 163.356, Florida Statutes, are amended to read:
8 163.356 Creation of community redevelopment agency.—
9 (3) (c) The governing body of the county or municipality
10 shall designate a chair and vice chair from among the
11 commissioners. An agency may employ an executive director,
12 technical experts, and such other agents and employees,
13 permanent and temporary, as it requires, and determine their
14 qualifications, duties, and compensation. For such legal service
15 as it requires, an agency may employ or retain its own counsel
16 and legal staff.

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17 (d) An agency authorized to transact business and exercise
18 powers under this part shall file with the governing body the
19 report required pursuant to s. 163.371(1)., ~~on or before March~~
20 ~~31 of each year, a report of its activities for the preceding~~
21 ~~fiscal year, which report shall include a complete financial~~
22 ~~statement setting forth its assets, liabilities, income, and~~
23 ~~operating expenses as of the end of such fiscal year. At the~~
24 ~~time of filing the report, the agency shall publish in a~~
25 ~~newspaper of general circulation in the community a notice to~~
26 ~~the effect that such report has been filed with the county or~~
27 ~~municipality and that the report is available for inspection~~
28 ~~during business hours in the office of the clerk of the city or~~
29 ~~county commission and in the office of the agency.~~

30 (e) ~~(d)~~ At any time after the creation of a community
31 redevelopment agency, the governing body of the county or
32 municipality may appropriate to the agency such amounts as the
33 governing body deems necessary for the administrative expenses
34 and overhead of the agency, including the development and
35 implementation of community policing innovations.

36 Section 2. Subsection (1) of section 163.367, Florida
37 Statutes, is amended to read:

38 163.367 Public officials, commissioners, and employees
39 subject to code of ethics.—

40 (1) (a) The officers, commissioners, and employees of a
41 community redevelopment agency created by, or designated

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42 pursuant to, s. 163.356 or s. 163.357 are shall be subject to
43 the provisions and requirements of part III of chapter 112.

44 (b) Commissioners of a community redevelopment agency must
45 comply with the ethics training requirements in s. 112.3142.

46 Section 3. Subsection (5) is added to section 163.370,
47 Florida Statutes, to read:

48 163.370 Powers; counties and municipalities; community
49 redevelopment agencies.-

50 (5) A community redevelopment agency shall procure all
51 commodities and services under the same purchasing processes and
52 requirements that apply to the county or municipality that
53 created the agency.

54 Section 4. Section 163.371, Florida Statutes, is created
55 to read:

56 163.371 Reporting requirements.-

57 (1) Beginning March 31, 2018, and no later than March 31
58 of each year thereafter, a community redevelopment agency shall
59 file an annual report with the county or municipality that
60 created the agency and publish the information on the agency's
61 website. At the time the report is filed and the information is
62 published on the website, the agency shall also publish in a
63 newspaper of general circulation in the community a notice to
64 the effect that such report has been filed with the county or
65 municipality and that the report is available for inspection
66 during business hours in the office of the clerk of the city or

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67 county commission and in the office of the agency or on the
68 website of the agency. The report must include the following
69 information:

70 (a) A complete audit report of the redevelopment trust
71 fund pursuant to s. 163.387(8).

72 (b) The performance data for each plan authorized,
73 administered, or overseen by the community redevelopment agency
74 as of December 31 of the year being reported, including the:

75 1. Total number of projects started, completed, and the
76 estimated project cost for each project.

77 2. Total expenditures from the redevelopment trust fund.

78 3. Original assessed real property values within the
79 community redevelopment agency's area of authority as of the day
80 the agency was created.

81 4. Total assessed real property values of property within
82 the boundaries of the community redevelopment agency as of
83 January 1 of the year being reported.

84 5. The earliest available total of commercial property
85 vacancy rates within the community redevelopment agency's area
86 of authority as of the day the agency was created.

87 6. Total commercial property vacancy rates within the
88 boundaries of the community redevelopment agency.

89 7. Assessed real property values for redeveloped
90 properties within the boundaries of the community redevelopment
91 agency as of January 1 of the year being reported.

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92 8. The earliest available total of housing vacancy rates
93 within the community redevelopment agency's area of authority as
94 of the day the agency was created.

95 9. Total housing vacancy rates within the boundaries of
96 the community redevelopment agency.

97 10. Total code enforcement violations within the
98 boundaries of the community redevelopment agency.

99 11. Total amount expended for affordable housing for low
100 and middle income residents if the community redevelopment
101 agency has affordable housing as part of its community
102 redevelopment plan.

103 12. For sponsorships and donations made to the community
104 redevelopment agency, the name of the sponsor or donor and the
105 total amount sponsored or donated.

106 13. Ratio of redevelopment funds to private funds expended
107 within the boundaries of the community redevelopment agency.

108 (2) By January 1, 2018, each community redevelopment
109 agency shall publish on its website digital maps that depict the
110 geographic boundaries and total acreage of the community
111 redevelopment agency. If any change is made to the boundaries or
112 total acreage, the agency shall post updated map files on its
113 website within 60 days after the date such change takes effect.

114 Section 5. Section 163.3755, Florida Statutes, is created
115 to read:

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116 163.3755 Termination of community redevelopment agencies;
117 prohibition on future creation.-

118 (1) Unless the governing body of the county or
119 municipality that created the community redevelopment agency
120 approves its continued existence by a super majority vote of the
121 governing body members, a community redevelopment agency in
122 existence on October 1, 2017, shall terminate on the expiration
123 date provided in the community redevelopment agency's charter on
124 October 1, 2017, or on September 30, 2037, whichever is earlier.

125 (2) (a) If the governing body of the county or municipality
126 that created the community redevelopment agency does not approve
127 its continued existence by a super majority vote of the
128 governing body members, a community redevelopment agency with
129 outstanding bonds as of October 1, 2017, and that do not mature
130 until after the earlier of the termination date of the agency or
131 September 30, 2037, remains in existence until the date the
132 bonds mature.

133 (b) A community redevelopment agency operating under this
134 subsection on or after September 30, 2037, may not extend the
135 maturity date of any outstanding bonds.

136 (c) The county or municipality that created the community
137 redevelopment agency must issue a new finding of necessity
138 limited to timely meeting the remaining bond obligations of the
139 community redevelopment agency.

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140 (3) A community redevelopment agency may not be created on
141 or after October 1, 2017. A community redevelopment agency in
142 existence before October 1, 2017, may continue to operate as
143 provided in this part.

144 Section 6. Section 163.3756, Florida Statutes, is created
145 to read:

146 163.3756 Inactive community redevelopment agencies.—

147 (1) The Legislature finds that a number of community
148 redevelopment agencies continue to exist but report no revenues,
149 no expenditures, and no outstanding debt in their annual report
150 to the Department of Financial Services pursuant to s. 218.32.

151 (2) (a) Beginning October 1, 2014, a community
152 redevelopment agency that has reported no revenues, no
153 expenditures, and no debt under s. 218.32 or s. 189.016(9), for
154 3 consecutive fiscal years shall be declared inactive by the
155 Department of Economic Opportunity. The department shall notify
156 the agency of the declaration of inactive status under this
157 subsection. If the agency has no board members or no agent, the
158 notice of inactive status must be delivered to the governing
159 board or commission of the county or municipality that created
160 the agency.

161 (b) The governing board of a community redevelopment
162 agency declared inactive under this subsection may seek to
163 invalidate the declaration by initiating proceedings under s.

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164 189.062(5) within 30 days after the date of the receipt of the
165 notice from the department.

166 (3) A community redevelopment agency declared inactive
167 under this section is authorized only to expend funds from the
168 redevelopment trust fund as necessary to service outstanding
169 bond debt. The agency may not expend other funds without an
170 ordinance of the governing body of the local government that
171 created the agency consenting to the expenditure of funds.

172 (4) The provisions of s. 189.062(2) and (4) do not apply
173 to a community redevelopment agency that has been declared
174 inactive under this section.

175 (5) The provisions of this section are cumulative to the
176 provisions of s. 189.062. To the extent the provisions of this
177 section conflict with the provisions of s. 189.062, this section
178 prevails.

179 (6) The Department of Economic Opportunity shall maintain
180 on its website a separate list of community redevelopment
181 agencies declared inactive under this section.

182 Section 7. Subsection (6), paragraph (d) of subsection
183 (7), and subsection (8) of section 163.387, Florida Statutes,
184 are amended to read:

185 163.387 Redevelopment trust fund.—

186 (6) Beginning October 1, 2017, moneys in the redevelopment
187 trust fund may be expended ~~from time to time~~ for undertakings of
188 a community redevelopment agency as described in the community

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189 redevelopment plan only pursuant to an annual budget adopted by
190 the board of commissioners of the community redevelopment agency
191 and only for the following purposes stated in this subsection.~~7~~
192 ~~including, but not limited to:~~

193 (a) Except as provided in this subsection, a community
194 redevelopment agency shall comply with the requirements of s.
195 189.016.

196 (b) A community redevelopment agency created by a
197 municipality shall submit its operating budget to the board of
198 county commissioners for the county in which the community
199 redevelopment agency is located within 10 days after the date of
200 adoption of such budget and submit amendments to its operating
201 budget to the board of county commissioners within 10 days after
202 the date of adoption of the amended budget. ~~Administrative and~~
203 ~~overhead expenses necessary or incidental to the implementation~~
204 ~~of a community redevelopment plan adopted by the agency.~~

205 (c) The annual budget of a community redevelopment agency
206 may provide for payment of the following expenses:

207 1. Administrative and overhead expenses directly or
208 indirectly necessary to implement a community redevelopment plan
209 adopted by the agency.

210 2. ~~(b)~~ Expenses of redevelopment planning, surveys, and
211 financial analysis, including the reimbursement of the governing
212 body or the community redevelopment agency for such expenses
213 incurred before the redevelopment plan was approved and adopted.

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214 3.~~(e)~~ The acquisition of real property in the
215 redevelopment area.

216 4.~~(d)~~ The clearance and preparation of any redevelopment
217 area for redevelopment and relocation of site occupants within
218 or outside the community redevelopment area as provided in s.
219 163.370.

220 5.~~(e)~~ The repayment of principal and interest or any
221 redemption premium for loans, advances, bonds, bond anticipation
222 notes, and any other form of indebtedness.

223 6.~~(f)~~ All expenses incidental to or connected with the
224 issuance, sale, redemption, retirement, or purchase of bonds,
225 bond anticipation notes, or other form of indebtedness,
226 including funding of any reserve, redemption, or other fund or
227 account provided for in the ordinance or resolution authorizing
228 such bonds, notes, or other form of indebtedness.

229 7.~~(g)~~ The development of affordable housing within the
230 community redevelopment area.

231 8.~~(h)~~ The development of community policing innovations.

232 (7) On the last day of the fiscal year of the community
233 redevelopment agency, any money which remains in the trust fund
234 after the payment of expenses pursuant to subsection (6) for
235 such year shall be:

236 (d) Appropriated to a specific redevelopment project
237 pursuant to an approved community redevelopment plan ~~which~~
238 ~~project will be completed within 3 years from the date of such~~

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239 ~~appropriation.~~ The specific redevelopment project for which
240 funds are appropriated under this subsection may not be changed
241 at a later date.

242 (8) (a) Each community redevelopment agency shall provide
243 for an audit of the trust fund each fiscal year and a report of
244 such audit to be prepared by an independent certified public
245 accountant or firm.

246 (b) The audit ~~Such~~ report shall:

247 1. Describe the amount and source of deposits into, and
248 the amount and purpose of withdrawals from, the trust fund
249 during such fiscal year and the amount of principal and interest
250 paid during such year on any indebtedness to which increment
251 revenues are pledged and the remaining amount of such
252 indebtedness.

253 2. Include a complete financial statement identifying the
254 assets, liabilities, income, and operating expenses of the
255 community redevelopment agency as of the end of such fiscal
256 year.

257 3. Include a finding by the auditor determining whether
258 the community redevelopment agency complies with the
259 requirements of subsection (7).

260 (c) The audit report for the community redevelopment
261 agency shall be included with the annual financial report
262 submitted by the county or municipality that created the agency
263 to the Department of Financial Services as provided in s.

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264 218.32, regardless of whether the agency reports separately
265 under s. 218.32.

266 (d) The agency shall provide ~~by registered mail~~ a copy of
267 the audit report to each taxing authority.

268 Section 8. Subsection (3) of section 218.32, Florida
269 Statutes, is amended to read:

270 218.32 Annual financial reports; local governmental
271 entities.—

272 (3)(a) The department shall notify the President of the
273 Senate and the Speaker of the House of Representatives of any
274 municipality that has not reported any financial activity for
275 the last 4 fiscal years. Such notice must be sufficient to
276 initiate dissolution procedures as described in s.
277 165.051(1)(a). Any special law authorizing the incorporation or
278 creation of the municipality must be included within the
279 notification.

280 (b) Failure of a county or municipality to include in its
281 annual report to the department the full audit required by s.
282 163.387(8) for each community redevelopment agency created by
283 that county or municipality constitutes a failure to report
284 under this section.

285 (c) By November 1 of each year, the department must
286 provide the Special District Accountability Program of the
287 Department of Economic Opportunity with a list of each community
288 redevelopment agency reporting no revenues, no expenditures, and

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289 no debt for the community redevelopment agency's previous fiscal
290 year.

291 Section 9. This act shall take effect October 1, 2017.

292

293 -----

294 **T I T L E A M E N D M E N T**

295 Remove everything before the enacting clause and insert:

296 A bill to be entitled

297 An act relating to community redevelopment agencies; amending s.

298 163.356, F.S.; providing reporting requirements; deleting

299 provisions requiring certain annual reports; amending s.

300 163.367, F.S.; requiring ethics training for community

301 redevelopment agency commissioners; amending s. 163.370, F.S.;

302 establishing procurement procedures; creating s. 163.371, F.S.;

303 providing annual reporting requirements; requiring publication

304 of notices of reports; requiring reports to be available for

305 inspection in designated places; requiring a community

306 redevelopment agency to publish annual reports and boundary maps

307 on its website; creating s. 163.3755, F.S.; prohibiting the

308 creation of new community redevelopment agencies after a date

309 certain; providing a phase-out period for existing community

310 redevelopment agencies unless the local government governing

311 body that created the agency approves its continued existence by

312 a super majority vote; providing a limited exception for

313 community redevelopment agencies with certain outstanding bond

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 13 (2017)

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314 obligations; creating s. 163.3756, F.S.; providing legislative
315 findings; requiring the Department of Economic Opportunity to
316 declare inactive community redevelopment agencies that have
317 reported no financial activity for a specified number of years;
318 providing hearing procedures; authorizing certain financial
319 activity by a community redevelopment agency that is declared
320 inactive; requiring the Department of Economic Opportunity to
321 maintain a website identifying all inactive community
322 redevelopment agencies; amending s. 163.387, F.S.; revising
323 requirements for the use of the redevelopment trust fund
324 proceeds; limiting allowed expenditures; revising requirements
325 for the annual budget of a community redevelopment agency;
326 requiring municipal community redevelopment agencies to provide
327 annual budget to county commission; revising requirements for
328 use of moneys in the redevelopment trust fund for specific
329 redevelopment projects; revising requirements for the annual
330 audit; requiring the audit to be included with the financial
331 report of the county or municipality that created the community
332 redevelopment agency; amending s. 218.32, F.S.; requiring county
333 and municipal governments to report community redevelopment
334 agency annual audit reports as part of the county or municipal
335 annual report; revising criteria for finding that a county or
336 municipality failed to file report; requiring the Department of
337 Financial Services to provide a report to the Department of
338 Economic Opportunity concerning community redevelopment agencies

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COMMITTEE/SUBCOMMITTEE AMENDMENT

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339 | with no revenues, no expenditures, and no debts; providing an
340 | effective date.