

1                   A bill to be entitled  
2           An act relating to community redevelopment agencies;  
3           amending s. 163.356, F.S.; providing reporting  
4           requirements; deleting provisions requiring certain  
5           annual reports; amending s. 163.367, F.S.; requiring  
6           ethics training for community redevelopment agency  
7           commissioners; amending s. 163.370, F.S.; establishing  
8           procurement procedures; creating s. 163.371, F.S.;  
9           providing annual reporting requirements; requiring  
10          publication of notices of reports; requiring reports  
11          to be available for inspection in designated places;  
12          requiring a community redevelopment agency to publish  
13          annual reports and boundary maps on its website;  
14          creating s. 163.3755, F.S.; prohibiting the creation  
15          of new community redevelopment agencies after a date  
16          certain; providing a phase-out period for existing  
17          community redevelopment agencies under specified  
18          circumstances; creating s. 163.3756, F.S.; providing  
19          legislative findings; requiring the Department of  
20          Economic Opportunity to declare inactive community  
21          redevelopment agencies that have reported no financial  
22          activity for a specified number of years; providing  
23          hearing procedures; authorizing certain financial  
24          activity by a community redevelopment agency that is  
25          declared inactive; requiring the Department of

26 Economic Opportunity to maintain a website identifying  
27 all inactive community redevelopment agencies;  
28 amending s. 163.387, F.S.; revising requirements for  
29 the expenditure of the redevelopment trust fund  
30 proceeds; revising requirements for the annual budget  
31 of a community redevelopment agency; requiring  
32 municipal community redevelopment agencies to provide  
33 annual budget to county commission; specifying allowed  
34 expenditures from the annual budget; revising  
35 requirements for use of moneys in the redevelopment  
36 trust fund for specific redevelopment projects;  
37 revising requirements for the annual audit; requiring  
38 the audit to be included with the financial report of  
39 the county or municipality that created the community  
40 redevelopment agency; amending s. 218.32, F.S.;  
41 requiring county and municipal governments to report  
42 community redevelopment agency annual audit reports as  
43 part of the county or municipal annual report;  
44 revising criteria for finding that a county or  
45 municipality failed to file report; requiring the  
46 Department of Financial Services to provide a report  
47 to the Department of Economic Opportunity concerning  
48 community redevelopment agencies with no revenues, no  
49 expenditures, and no debts; providing an effective  
50 date.

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

Section 1. Paragraphs (c) and (d) of subsection (3) of section 163.356, Florida Statutes, are amended to read:

163.356 Creation of community redevelopment agency.—

(3)(c) The governing body of the county or municipality shall designate a chair and vice chair from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and employees, permanent and temporary, as it requires, and determine their qualifications, duties, and compensation. For such legal service as it requires, an agency may employ or retain its own counsel and legal staff.

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

76 ~~during business hours in the office of the clerk of the city or~~  
 77 ~~county commission and in the office of the agency.~~

78 (e)~~(d)~~ At any time after the creation of a community  
 79 redevelopment agency, the governing body of the county or  
 80 municipality may appropriate to the agency such amounts as the  
 81 governing body deems necessary for the administrative expenses  
 82 and overhead of the agency, including the development and  
 83 implementation of community policing innovations.

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

86 163.367 Public officials, commissioners, and employees  
 87 subject to code of ethics.—

88 (1)(a) The officers, commissioners, and employees of a  
 89 community redevelopment agency created by, or designated  
 90 pursuant to, s. 163.356 or s. 163.357 are ~~shall be~~ subject to  
 91 the provisions and requirements of part III of chapter 112.

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

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

96 163.370 Powers; counties and municipalities; community  
 97 redevelopment agencies.—

98 (5) A community redevelopment agency shall procure all  
 99 commodities and services under the same purchasing processes and  
 100 requirements that apply to the county or municipality that

101 created the agency.

102 Section 4. Section 163.371, Florida Statutes, is created  
103 to read:

104 163.371 Reporting requirements.-

105 (1) Beginning March 31, 2018, and no later than March 31  
106 of each year thereafter, a community redevelopment agency shall  
107 file an annual report with the county or municipality that  
108 created the agency and publish the information on the agency's  
109 website. At the time the report is filed and the information is  
110 published on the website, the agency shall also publish in a  
111 newspaper of general circulation in the community a notice to  
112 the effect that such report has been filed with the county or  
113 municipality and that the report is available for inspection  
114 during business hours in the office of the clerk of the city or  
115 county commission and in the office of the agency or on the  
116 website of the agency. The report must include the following  
117 information:

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

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

123 1. Total number of projects started, total number of  
124 projects completed, and estimated project cost for each project.

125 2. Total expenditures from the redevelopment trust fund.

126        3. Assessed real property values of property located  
 127 within the boundaries of the community redevelopment agency as  
 128 of the day the agency was created.

129        4. Total assessed real property values of property within  
 130 the boundaries of the community redevelopment agency as of  
 131 January 1 of the year being reported.

132        5. Earliest data available as of the date the agency was  
 133 created, providing total commercial property vacancy rates  
 134 within the community redevelopment agency.

135        6. Total commercial property vacancy rates within the  
 136 boundaries of the community redevelopment agency.

137        7. Assessed real property values for redeveloped  
 138 properties within the boundaries of the community redevelopment  
 139 agency as of January 1 of the year being reported.

140        8. Earliest data available as of the day the agency was  
 141 created, providing total housing vacancy rates within the  
 142 community redevelopment agency's area of authority.

143        9. Total housing vacancy rates within the boundaries of  
 144 the community redevelopment agency.

145        10. Total number of code enforcement violations within the  
 146 boundaries of the community redevelopment agency.

147        11. Total amount expended for affordable housing for low  
 148 and middle income residents, if the community redevelopment  
 149 agency has affordable housing as part of its community  
 150 redevelopment plan.

151 12. Name of the sponsor or donor and total amount  
 152 sponsored or donated for sponsorships and donations that were  
 153 made to the community redevelopment agency.

154 13. Ratio of redevelopment funds to private funds expended  
 155 within the boundaries of the community redevelopment agency.

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

162 Section 5. Section 163.3755, Florida Statutes, is created  
 163 to read:

164 163.3755 Termination of community redevelopment agencies;  
 165 prohibition on future creation.-

166 (1) Unless the governing body of the county or  
 167 municipality that created the community redevelopment agency  
 168 approves its continued existence by a super majority vote of the  
 169 governing body members, a community redevelopment agency in  
 170 existence on October 1, 2017, shall terminate on the expiration  
 171 date provided in the community redevelopment agency's charter on  
 172 October 1, 2017, or on September 30, 2037, whichever is earlier.

173 (2) (a) If the governing body of the county or municipality  
 174 that created the community redevelopment agency does not approve  
 175 its continued existence by a super majority vote of the

176 governing body members, a community redevelopment agency with  
177 outstanding bonds as of October 1, 2017, and that do not mature  
178 until after the earlier of the termination date of the agency or  
179 September 30, 2037, remains in existence until the date the  
180 bonds mature.

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

184 (c) The county or municipality that created the community  
185 redevelopment agency must issue a new finding of necessity  
186 limited to timely meeting the remaining bond obligations of the  
187 community redevelopment agency.

188 (3) A community redevelopment agency may not be created on  
189 or after October 1, 2017. A community redevelopment agency in  
190 existence before October 1, 2017, may continue to operate as  
191 provided in this part.

192 Section 6. Section 163.3756, Florida Statutes, is created  
193 to read:

194 163.3756 Inactive community redevelopment agencies.—

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

199 (2) (a) Beginning October 1, 2014, a community  
200 redevelopment agency that has reported no revenues, no



201 expenditures, and no debt under s. 218.32 or s. 189.016(9), for  
202 3 consecutive fiscal years shall be declared inactive by the  
203 Department of Economic Opportunity. The department shall notify  
204 the agency of the declaration of inactive status under this  
205 subsection. If the agency has no board members or no agent, the  
206 notice of inactive status must be delivered to the governing  
207 board or commission of the county or municipality that created  
208 the agency.

209 (b) The governing board of a community redevelopment  
210 agency declared inactive under this subsection may seek to  
211 invalidate the declaration by initiating proceedings under s.  
212 189.062(5) within 30 days after the date of the receipt of the  
213 notice from the department.

214 (3) A community redevelopment agency declared inactive  
215 under this section is authorized only to expend funds from the  
216 redevelopment trust fund as necessary to service outstanding  
217 bond debt. The agency may not expend other funds without an  
218 ordinance of the governing body of the local government that  
219 created the agency consenting to the expenditure of funds.

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

223 (5) The provisions of this section are cumulative to the  
224 provisions of s. 189.062. To the extent the provisions of this  
225 section conflict with the provisions of s. 189.062, this section

226 prevails.

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

230 Section 7. Subsection (6), paragraph (d) of subsection  
 231 (7), and subsection (8) of section 163.387, Florida Statutes,  
 232 are amended to read:

233 163.387 Redevelopment trust fund.—

234 (6) Beginning October 1, 2017, moneys in the redevelopment  
 235 trust fund may be expended ~~from time to time~~ for undertakings of  
 236 a community redevelopment agency as described in the community  
 237 redevelopment plan only pursuant to an annual budget adopted by  
 238 the board of commissioners of the community redevelopment agency  
 239 and only for the following purposes stated in this subsection.~~7~~  
 240 ~~including, but not limited to:~~

241 (a) Except as provided in this subsection, a community  
 242 redevelopment agency shall comply with the requirements of s.  
 243 189.016.

244 (b) A community redevelopment agency created by a  
 245 municipality shall submit its operating budget to the board of  
 246 county commissioners for the county in which the community  
 247 redevelopment agency is located within 10 days after the date of  
 248 adoption of such budget and submit amendments to its operating  
 249 budget to the board of county commissioners within 10 days after  
 250 the date of adoption of the amended budget. ~~Administrative and~~

251 ~~overhead expenses necessary or incidental to the implementation~~  
 252 ~~of a community redevelopment plan adopted by the agency.~~

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

255 1. Administrative and overhead expenses directly or  
 256 indirectly necessary to implement a community redevelopment plan  
 257 adopted by the agency.

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

262 3.~~(c)~~ The acquisition of real property in the  
 263 redevelopment area.

264 4.~~(d)~~ The clearance and preparation of any redevelopment  
 265 area for redevelopment and relocation of site occupants within  
 266 or outside the community redevelopment area as provided in s.  
 267 163.370.

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

271 6.~~(f)~~ All expenses incidental to or connected with the  
 272 issuance, sale, redemption, retirement, or purchase of bonds,  
 273 bond anticipation notes, or other form of indebtedness,  
 274 including funding of any reserve, redemption, or other fund or  
 275 account provided for in the ordinance or resolution authorizing

276 such bonds, notes, or other form of indebtedness.

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

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

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

284 (d) Appropriated to a specific redevelopment project  
 285 pursuant to an approved community redevelopment plan. The  
 286 specific redevelopment project for which funds are appropriated  
 287 under this subsection may not be changed at a later date ~~which~~  
 288 ~~project will be completed within 3 years from the date of such~~  
 289 ~~appropriation.~~

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

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

295 1. Describe the amount and source of deposits into, and  
 296 the amount and purpose of withdrawals from, the trust fund  
 297 during such fiscal year and the amount of principal and interest  
 298 paid during such year on any indebtedness to which increment  
 299 revenues are pledged and the remaining amount of such  
 300 indebtedness.

301        2. Include a complete financial statement identifying the  
 302 assets, liabilities, income, and operating expenses of the  
 303 community redevelopment agency as of the end of such fiscal  
 304 year.

305        3. Include a finding by the auditor determining whether  
 306 the community redevelopment agency complies with the  
 307 requirements of subsection (7).

308        (c) The audit report for the community redevelopment  
 309 agency shall be included with the annual financial report  
 310 submitted by the county or municipality that created the agency  
 311 to the Department of Financial Services as provided in s.  
 312 218.32, regardless of whether the agency reports separately  
 313 under s. 218.32.

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

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

318        218.32 Annual financial reports; local governmental  
 319 entities.—

320        (3)(a) The department shall notify the President of the  
 321 Senate and the Speaker of the House of Representatives of any  
 322 municipality that has not reported any financial activity for  
 323 the last 4 fiscal years. Such notice must be sufficient to  
 324 initiate dissolution procedures as described in s.  
 325 165.051(1)(a). Any special law authorizing the incorporation or

326 creation of the municipality must be included within the  
327 notification.

328 (b) Failure of a county or municipality to include in its  
329 annual report to the department the full audit required by s.  
330 163.387(8) for each community redevelopment agency created by  
331 that county or municipality constitutes a failure to report  
332 under this section.

333 (c) By November 1 of each year, the department must  
334 provide the Special District Accountability Program of the  
335 Department of Economic Opportunity with a list of each community  
336 redevelopment agency reporting no revenues, no expenditures, and  
337 no debt for the community redevelopment agency's previous fiscal  
338 year.

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