

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to special districts; amending s.
3 189.069, F.S.; requiring a special district to post on
4 its website all meeting minutes within a specified
5 time and have the information remain on the website
6 for a specified period; amending s. 190.006, F.S.;
7 removing certain compensation for supervisors on the
8 governing board of a special district; amending s.
9 190.046, F.S.; removing a filing fee paid to counties
10 or municipalities under certain circumstances when
11 petitions to contract or expand the boundaries of a
12 community development district are filed with the
13 Florida Land and Water Adjudicatory Commission;
14 conforming provisions to changes made by the act;
15 authorizing the board of supervisors by majority vote
16 to transfer its assets and operating and maintenance
17 responsibilities to the private sector or to a certain
18 local general-purpose government if the district has
19 no outstanding financial obligations; requiring the
20 district to terminate upon such transfer, subject to
21 certain requirements; providing for a referendum to
22 dissolve the district, subject to certain
23 requirements; specifying requirements for the petition
24 and the referendum; requiring the district to dissolve
25 if a majority of the qualified voters approve the
26 referendum, subject to certain requirements; providing
27 an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (a) of subsection (2) of section 189.069, Florida Statutes, is amended to read:

189.069 Special districts; required reporting of information; web-based public access.—

(2) (a) A special district shall post the following information, at a minimum, on the district's official website:

1. The full legal name of the special district.
2. The public purpose of the special district.
3. The name, official address, official e-mail address, and, if applicable, term and appointing authority for each member of the governing body of the special district.
4. The fiscal year of the special district.
5. The full text of the special district's charter, the date of establishment, the establishing entity, and the statute or statutes under which the special district operates, if different from the statute or statutes under which the special district was established. Community development districts may reference chapter 190 as the uniform charter but must include information relating to any grant of special powers.
6. The mailing address, e-mail address, telephone number, and website uniform resource locator of the special district.
7. A description of the boundaries or service area of, and the services provided by, the special district.
8. A listing of all taxes, fees, assessments, or charges imposed and collected by the special district, including the rates or amounts for the fiscal year and the statutory authority for the levy of the tax, fee, assessment, or charge. For purposes of this subparagraph, charges do not include patient

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59 charges by a hospital or other health care provider.

60 9. The primary contact information for the special district
61 for purposes of communication from the department.

62 10. A code of ethics adopted by the special district, if
63 applicable, and a hyperlink to generally applicable ethics
64 provisions.

65 11. The budget of the special district and any amendments
66 thereto in accordance with s. 189.016.

67 12. The final, complete audit report for the most recent
68 completed fiscal year and audit reports required by law or
69 authorized by the governing body of the special district.

70 13. A listing of its regularly scheduled public meetings as
71 required by s. 189.015(1).

72 14. The public facilities report, if applicable.

73 15. The link to the Department of Financial Services'
74 website as set forth in s. 218.32(1)(g).

75 16. At least 7 days before each meeting or workshop, the
76 agenda of the event, along with any meeting materials available
77 in an electronic format, excluding confidential and exempt
78 information. The information must remain on the website for at
79 least 1 year after the event.

80 17. All meeting minutes, within 30 days after a meeting.
81 The information must remain on the website for at least 1 year
82 after the event.

83 Section 2. Subsection (8) of section 190.006, Florida
84 Statutes, is amended to read:

85 190.006 Board of supervisors; members and meetings.—

86 (8) ~~Each supervisor shall be entitled to receive for his or~~
87 ~~her services an amount not to exceed \$200 per meeting of the~~

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88 ~~board of supervisors, not to exceed \$4,800 per year per~~
89 ~~supervisor, or an amount established by the electors at~~
90 ~~referendum. In addition,~~ Each supervisor shall receive travel
91 and per diem expenses as set forth in s. 112.061.

92 Section 3. Paragraph (d) of subsection (1) and subsection
93 (2) of section 190.046, Florida Statutes, are amended, and
94 subsections (11) and (12) are added to that section, to read:

95 190.046 Termination, contraction, or expansion of
96 district.—

97 (1) A landowner or the board may petition to contract or
98 expand the boundaries of a community development district in the
99 following manner:

100 (d)1. For those districts initially established by
101 administrative rule pursuant to s. 190.005(1), the petition
102 shall be filed with the Florida Land and Water Adjudicatory
103 Commission.

104 2. ~~Prior to filing the petition,~~ The petitioner shall
105 submit a copy of the petition ~~pay a filing fee of \$1,500,~~ to the
106 county if the district or the land to be added or deleted from
107 the district is located within an unincorporated area or to the
108 municipality if the district or the land to be added or deleted
109 is located within an incorporated area, and to each municipality
110 the boundaries of which are contiguous with or contain all or a
111 portion of the land within or to be added to or deleted from the
112 external boundaries of the district. ~~The petitioner shall submit~~
113 ~~a copy of the petition to the same entities entitled to receive~~
114 ~~the filing fee.~~ In addition, if the district is not the
115 petitioner, the petitioner shall file the petition with the
116 district board of supervisors.

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117 3. Each county and each municipality shall have the option
118 of holding a public hearing as provided by s. 190.005(1)(c).
119 However, the public hearing shall be limited to consideration of
120 the contents of the petition and whether the petition for
121 amendment should be supported by the county or municipality.

122 4. The district board of supervisors shall, in lieu of a
123 hearing officer, hold the local public hearing provided for by
124 s. 190.005(1)(d). This local public hearing shall be noticed in
125 the same manner as provided in s. 190.005(1)(d). Within 45 days
126 of the conclusion of the hearing, the district board of
127 supervisors shall transmit to the Florida Land and Water
128 Adjudicatory Commission the full record of the local hearing,
129 the transcript of the hearing, any resolutions adopted by the
130 local general-purpose governments, and its recommendation
131 whether to grant the petition for amendment. The commission
132 shall then proceed in accordance with s. 190.005(1)(e).

133 5. A rule amending a district boundary shall describe the
134 land to be added or deleted.

135 (2) The district shall remain in existence unless:

136 (a) The district is merged with another district as
137 provided in subsection (3) or subsection (4);

138 (b) All of the specific community development systems,
139 facilities, and services that it is authorized to perform have
140 been transferred to a general-purpose unit of local government
141 in the manner provided in subsections (5), (6), and (7); ~~or~~

142 (c) All of the specific community development systems,
143 facilities, and services that it is authorized to perform have
144 been transferred to the private sector or a general-purpose unit
145 of local government as provided in subsection (11); or

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146 (d)~~(e)~~ The district is dissolved as provided in subsection
147 (8), subsection (9), ~~or~~ subsection (10), or subsection (12).

148 (11) If a district has no outstanding financial
149 obligations, the board of supervisors by majority vote may
150 transfer its assets and operating and maintenance
151 responsibilities to the private sector or to the local general-
152 purpose government within the geographical boundaries of the
153 district. Upon the transfer of all of the community development
154 assets and services, the district shall be terminated in
155 accordance with a plan of termination which shall be adopted by
156 the board of supervisors and filed with the clerk of the circuit
157 court.

158 (12) (a) A referendum to dissolve the district must be held
159 if a petition containing the signatures of 40 percent of the
160 qualified electors within the district or 20 percent of the
161 landowners within the district is presented to the board of
162 supervisors. The petition must state that it is for the purpose
163 of calling a referendum to determine whether the district should
164 be dissolved.

165 (b) Upon receipt of the petition, the board of supervisors
166 shall arrange to place on the next general election ballot of
167 the qualified electors residing within the district the
168 following question: "Shall the ...(name of district)... sell all
169 of its assets and fulfill any outstanding financial obligations,
170 operating responsibilities, or maintenance responsibilities and
171 dissolve immediately upon completion of such tasks?" and
172 thereafter the words "Yes" and "No."

173 (c) If a majority of the qualified electors voting approve
174 the ballot question, the district shall be dissolved in

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175 accordance with a plan of termination which shall be adopted by
176 the board of supervisors and filed with the clerk of the circuit
177 court. The plan of termination must provide for the sale of all
178 district assets and the fulfillment of all outstanding financial
179 obligations and operating or maintenance responsibilities.

180 Section 4. This act shall take effect July 1, 2017.