

By Senator Torres

15-01666-18

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1                   A bill to be entitled  
2       An act relating to community development districts;  
3       amending s. 190.012, F.S.; requiring community  
4       development districts to obtain a just valuation  
5       before acquiring property that includes land or is  
6       permanently affixed to land; providing an effective  
7       date.

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

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11       Section 1. Subsection (2) of section 190.012, Florida  
12       Statutes, is amended to read:

13       190.012 Special powers; public improvements and community  
14       facilities.—The district shall have, and the board may exercise,  
15       subject to the regulatory jurisdiction and permitting authority  
16       of all applicable governmental bodies, agencies, and special  
17       districts having authority with respect to any area included  
18       therein, any or all of the following special powers relating to  
19       public improvements and community facilities authorized by this  
20       act:

21       (2) After the local general-purpose government within the  
22       jurisdiction of which a power specified in this subsection is to  
23       be exercised consents to the exercise of such power by the  
24       district, the district shall have the power to plan, establish,  
25       acquire, construct or reconstruct, enlarge or extend, equip,  
26       operate, and maintain additional systems and facilities for:

27       (a) Parks and facilities for indoor and outdoor  
28       recreational, cultural, and educational uses.

29       (b) Fire prevention and control, including fire stations,

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30 water mains and plugs, fire trucks, and other vehicles and  
31 equipment.

32 (c) School buildings and related structures and site  
33 improvements, which may be leased, sold, or donated to the  
34 school district, for use in the educational system when  
35 authorized by the district school board.

36 (d) Security, including, but not limited to, guardhouses,  
37 fences and gates, electronic intrusion-detection systems, and  
38 patrol cars, when authorized by proper governmental agencies;  
39 except that the district may not exercise any police power, but  
40 may contract with the appropriate local general-purpose  
41 government agencies for an increased level of such services  
42 within the district boundaries. However, this paragraph does not  
43 prohibit a district from contracting with a towing operator to  
44 remove a vehicle or vessel from a district-owned facility or  
45 property if the district follows the authorization and notice  
46 and procedural requirements in s. 715.07 for an owner or lessee  
47 of private property. The district's selection of a towing  
48 operator is not subject to public bidding if the towing operator  
49 is included in an approved list of towing operators maintained  
50 by the local government that has jurisdiction over the  
51 district's facility or property.

52 (e) Control and elimination of mosquitoes and other  
53 arthropods of public health importance.

54 (f) Waste collection and disposal.

55  
56 Before a district acquires property that includes real property  
57 or that is permanently affixed to real property, whether the  
58 acquisition is through the use of bonds, special assessments, ad

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59 valorem taxes, fees, or cash, it must first obtain a just  
60 valuation of the property by a property appraiser which conforms  
61 to the requirements of s. 193.011.

62 Section 2. This act shall take effect July 1, 2018.