



626004

LEGISLATIVE ACTION

Senate

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House

Senator Perry moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (h) is added to subsection (1) of
section 190.046, Florida Statutes, to read:

190.046 Termination, contraction, or expansion of
district.—

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



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12 (h) For a petition to establish a new community development
13 district of less than 2,500 acres on land located solely in one
14 county or one municipality, sufficiently contiguous lands
15 located within the county or municipality which the petitioner
16 anticipates adding to the boundaries of the district within 10
17 years after the effective date of the ordinance establishing the
18 district may also be identified. If such sufficiently contiguous
19 land is identified, the petition must include a legal
20 description of each additional parcel within the sufficiently
21 contiguous land, the current owner of the parcel, the acreage of
22 the parcel, and the current land use designation of the parcel.
23 At least 14 days before the hearing required under s.
24 190.005(2)(b), the petitioner must give the current owner of
25 each such parcel notice of filing the petition to establish the
26 district, the date and time of the public hearing on the
27 petition, and the name and address of the petitioner. A parcel
28 may not be included in the district without the written consent
29 of the owner of the parcel.

30 1. After establishment of the district, a person may
31 petition the county or municipality to amend the boundaries of
32 the district to include a previously identified parcel that was
33 a proposed addition to the district before its establishment. A
34 filing fee may not be charged for this petition. Each such
35 petition must include:

36 a. A legal description by metes and bounds of the parcel to
37 be added;

38 b. A new legal description by metes and bounds of the
39 district;

40 c. Written consent of all owners of the parcel to be added;



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41 d. A map of the district including the parcel to be added;

42 e. A description of the development proposed on the

43 additional parcel; and

44 f. A copy of the original petition identifying the parcel

45 to be added.

46 2. Before filing with the county or municipality, the

47 person must provide the petition to the district and to the

48 owner of the proposed additional parcel, if the owner is not the

49 petitioner.

50 3. Once the petition is determined sufficient and complete,

51 the county or municipality must process the addition of the

52 parcel to the district as an amendment to the ordinance that

53 establishes the district. The county or municipality may process

54 all petitions to amend the ordinance for parcels identified in

55 the original petition, even if, by adding such parcels, the

56 district exceeds 2,500 acres.

57 4. The petitioner shall cause to be published in a

58 newspaper of general circulation in the proposed district a

59 notice of the intent to amend the ordinance that establishes the

60 district, which notice shall be in addition to any notice

61 required for adoption of the ordinance amendment. Such notice

62 must be published at least 10 days before the scheduled hearing

63 on the ordinance amendment and may be published in the section

64 of the newspaper reserved for legal notices. The notice must

65 include a general description of the land to be added to the

66 district and the date and time of the scheduled hearing to amend

67 the ordinance. The petitioner shall deliver, including by mail

68 or hand delivery, the notice of the hearing on the ordinance

69 amendment to the owner of the parcel and to the district at



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70 least 14 days before the scheduled hearing.

71 5. The amendment of a district by the addition of a parcel
72 pursuant to this paragraph does not alter the transition from
73 landowner voting to qualified elector voting pursuant to s.
74 190.006, even if the total size of the district after the
75 addition of the parcel exceeds 5,000 acres. Upon adoption of the
76 ordinance expanding the district, the petitioner must cause to
77 be recorded a notice of boundary amendment which reflects the
78 new boundaries of the district.

79 6. This paragraph is intended to facilitate the orderly
80 addition of lands to a district under certain circumstances and
81 does not preclude the addition of lands to any district using
82 the procedures in the other provisions of this section.

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

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85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Delete everything before the enacting clause
88 and insert:

89 A bill to be entitled
90 An act relating to community development districts;
91 amending s. 190.046, F.S.; authorizing sufficiently
92 contiguous lands located within the county or
93 municipality which a petitioner anticipates adding to
94 the boundaries of a new community development district
95 to also be identified in a petition to establish the
96 new district under certain circumstances; providing
97 requirements for the petition; providing notification
98 requirements for the petition; prohibiting a parcel



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99 from being included in the district without the
100 written consent of the owner of the parcel;
101 authorizing a person to petition the county or
102 municipality to amend the boundaries of the district
103 to include a certain parcel after establishment of the
104 district; prohibiting a filing fee for such petition;
105 providing requirements for the petition; requiring the
106 person to provide the petition to the district and to
107 the owner of the proposed additional parcel before
108 filing the petition with the county or municipality;
109 requiring the county or municipality to process the
110 addition of the parcel to the district as an amendment
111 to the ordinance that establishes the district once
112 the petition is determined sufficient and complete;
113 authorizing the county or municipality to process all
114 such petitions even if the addition exceeds specified
115 acreage; providing notice requirements for the intent
116 to amend the ordinance establishing the district;
117 providing that the amendment of a district by the
118 addition of a parcel does not alter the transition
119 from landowner voting to qualified elector voting;
120 requiring the petitioner to cause to be recorded a
121 certain notice of boundary amendment upon adoption of
122 the ordinance expanding the district; providing
123 construction; providing an effective date.