

By Senator Torres

15-01017-19

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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.

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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 that conforms
61 to the requirements of s. 193.011.

62 Section 2. This act shall take effect July 1, 2019.