

By Senator Broxson

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1 A bill to be entitled
2 An act relating to dissolution of municipalities;
3 amending s. 165.051, F.S.; requiring the dissolution
4 of a municipality after a referendum is held if
5 specified conditions are met; providing the procedures
6 for setting the date for a referendum to dissolve a
7 municipality; providing notice requirements; providing
8 an effective date.

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

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12 Section 1. Section 165.051, Florida Statutes, is amended to
13 read:

14 165.051 Dissolution procedures.—

15 (1) The charter of any existing municipality may be revoked
16 and the municipal corporation dissolved by ~~either~~:

17 (a) A special act of the Legislature; ~~or~~

18 (b) An ordinance of the governing body of the municipality,
19 approved by a vote of the qualified voters; or

20 (c) Approval of a vote of a majority of the qualified
21 voters voting in a referendum to dissolve the municipality which
22 must be held if one or more of the following criteria applies:

23 1. The municipality has been in a state of financial
24 emergency for 2 or more years.

25 2. A financial emergency board has been established in
26 response to a financial emergency, and the municipality has
27 failed to comply with the terms included in any signed agreement
28 with the Governor's office as part of the financial emergency.

29 Failure to comply with the terms of any signed agreement

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30 includes failing to submit a recovery plan, the required budget
31 documents and amendments, and invoices that support requested
32 expenditures.

33 3. The municipality has submitted its annual financial
34 report required by s. 218.32, and the annual financial audit
35 report required by s. 218.39, significantly late for 2 or more
36 consecutive years.

37 4. A grand jury or an Auditor General audit report was
38 issued within the past 3 years which identifies significant
39 problems with the municipality.

40 (2) (a) If a vote of the qualified voters is required
41 pursuant to paragraph (1) (b), the governing body of the
42 municipality or, if the municipal governing body does not act
43 within 30 days, the governing body of the county or counties in
44 which the municipality is located, shall set the date of the
45 election, which shall be the next regularly scheduled election
46 or a special election held prior to such election, if approved
47 by a majority of the members of the governing body of each
48 governmental unit affected, but no sooner than 30 days after
49 passage of the ordinance. Notice of the election shall be
50 published at least once each week for 2 consecutive weeks prior
51 to the election in a newspaper of general circulation in the
52 municipality.

53 (b) Within 30 days after one or more of the criteria
54 contained in subparagraphs (1) (c) 1.-4., are met, the governing
55 body of the municipality or, if the municipal governing body
56 does not act, the governing body of the county or counties in
57 which the municipality is located shall set the date of the
58 referendum to dissolve the municipality, which shall be the next

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59 regularly scheduled election or a special election held prior to
60 such election. Notice of the election shall be published at
61 least once each week for 2 consecutive weeks prior to the
62 election in a newspaper of general circulation in the
63 municipality.

64 Section 2. This act shall take effect July 1, 2020.