

**By** the Committee on Environment and Natural Resources; and  
Senator Rodrigues

592-02133-21

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1                   A bill to be entitled  
2       An act relating to the Big Cypress Basin; amending s.  
3       373.0693, F.S.; revising the membership of the Big  
4       Cypress Basin governing board; requiring the South  
5       Florida Water Management District to revise the  
6       boundaries of the Big Cypress Basin based on a  
7       specified study at a specified time; removing obsolete  
8       language; amending s. 373.503, F.S.; requiring the  
9       South Florida Water Management District to ensure that  
10      the distribution of basin ad valorem taxes collected  
11      within the Big Cypress Basin be used for projects and  
12      flood control operations and maintenance within the  
13      counties in which they were collected; reenacting s.  
14      373.0697, F.S., relating to basin taxes, to  
15      incorporate the amendment made to s. 373.503, F.S., in  
16      a reference thereto; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

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20       Section 1. Subsection (9) of section 373.0693, Florida  
21 Statutes, is amended to read:

22       373.0693 Basins; basin boards.—

23       (9) At 11:59 p.m. on December 31, 1976, a portion of the  
24 Big Cypress Basin of the Ridge and Lower Gulf Coast District  
25 which is being annexed into the South Florida Water Management  
26 District by change of boundaries pursuant to chapter 76-243,  
27 Laws of Florida, shall be formed into a subdistrict or basin of  
28 the South Florida Water Management District. Such portion shall  
29 be designated as the Big Cypress Basin. ~~On or before December~~

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30 ~~31, 1976,~~ The Governor shall appoint ~~not fewer than~~ five persons  
31 from Collier and Lee Counties who reside within the Big Cypress  
32 Basin residing in the area to serve as members of the governing  
33 board of the basin, ~~effective at the time of transfer and~~  
34 subject to confirmation by the Senate as provided in subsection  
35 (4).

36 (a) The initial boundaries of the Big Cypress Basin shall  
37 be established by resolution of the governing board of Central  
38 and Southern Florida Flood Control District, after notice and  
39 hearing, and generally shall encompass the Big Cypress Swamp and  
40 southwestern coastal area hydrologic cataloging unit, as  
41 indicated on River Basin and Hydrologic Unit Map of Florida—  
42 1975, Florida Department of Natural Resources, Bureau of Geology  
43 Map Series No. 72.

44 (b) At 11:59 p.m. on July 1, 2021, the governing board of  
45 the South Florida Water Management District shall establish the  
46 boundary of the Big Cypress Basin as the scientific boundary  
47 recommended in the Big Cypress Basin Boundary Delineation study  
48 that the district presented to the Legislature on January 12,  
49 2021, except that the new basin boundary may include only  
50 counties that have at least 25 percent of their jurisdiction  
51 delineated within the boundary ~~If the governing board shall fail~~  
52 ~~to establish the initial boundaries on or before December 31,~~  
53 ~~1976, the initial boundaries shall be the same boundaries as~~  
54 ~~described for the Big Cypress Basin of the Ridge and Lower Gulf~~  
55 ~~Coast District.~~

56 ~~(c)~~ The governing board of the South Florida Water  
57 Management District subsequently may change the boundaries of  
58 the basin, but may not abolish the basin.

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59 Section 2. Paragraph (b) of subsection (3) of section  
60 373.503, Florida Statutes, is amended to read:

61 373.503 Manner of taxation.—

62 (3) The districts may levy ad valorem taxes on property  
63 within the district solely for the purposes of this chapter and  
64 of chapter 25270, 1949, Laws of Florida, as amended, and chapter  
65 61-691, Laws of Florida, as amended. If appropriate, taxes  
66 levied by each governing board may be separated by the governing  
67 board into a millage necessary for the purposes of the district  
68 and a millage necessary for financing basin functions specified  
69 in s. 373.0695.

70 (b) ~~The apportionment in~~ The South Florida Water Management  
71 District shall ensure that:

72 1. The apportionment within the district is ~~be~~ a maximum of  
73 40 percent for district purposes and a maximum of 60 percent for  
74 basin purposes; and

75 2. The basin ad valorem taxes levied within the counties  
76 that comprise the Big Cypress Basin are used for projects and  
77 flood control operations and maintenance within the counties in  
78 which they were collected, ~~respectively.~~

79 Section 3. For the purpose of incorporating the amendment  
80 made by this act to section 373.503, Florida Statutes, in a  
81 reference thereto, section 373.0697, Florida Statutes, is  
82 reenacted to read:

83 373.0697 Basin taxes.—The respective basins may, pursuant  
84 to s. 9(b), Art. VII of the State Constitution, by resolution  
85 request the governing board of the district to levy ad valorem  
86 taxes within such basin. Upon receipt of such request, a basin  
87 tax levy shall be made by the governing board of the district to

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88 finance basin functions enumerated in s. 373.0695,  
89 notwithstanding the provisions of any other general or special  
90 law to the contrary, and subject to the provisions of s.  
91 373.503(3).

92 (1) The amount of money to be raised by said tax levy shall  
93 be determined by the adoption of an annual budget by the  
94 district board of governors, and the average millage for the  
95 basin shall be that amount required to raise the amount called  
96 for by the annual budget when applied to the total assessment of  
97 the basin as determined for county taxing purposes. However, no  
98 such tax shall be levied within the basin unless and until the  
99 annual budget and required tax levy shall have been approved by  
100 formal action of the basin board, and no county in the district  
101 shall be taxed under this provision at a rate to exceed 1 mill.

102 (2) The taxes provided for in this section shall be  
103 extended by the county property appraiser on the county tax roll  
104 in each county within, or partly within, the basin and shall be  
105 collected by the tax collector in the same manner and time as  
106 county taxes, and the proceeds therefrom paid to the district  
107 for basin purposes. Said taxes shall be a lien, until paid, on  
108 the property against which assessed and enforceable in like  
109 manner as county taxes. The property appraisers, tax collectors,  
110 and clerks of the circuit court of the respective counties shall  
111 be entitled to compensation for services performed in connection  
112 with such taxes at the same rates as apply to county taxes.

113 (3) It is hereby determined that the taxes authorized by  
114 this subsection are in proportion to the benefits to be derived  
115 by the several parcels of real estate within the basin from the  
116 works authorized herein.

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Section 4. This act shall take effect July 1, 2021.