

1 A bill to be entitled
 2 An act relating to the Ocean Highway and Port
 3 Authority, Nassau County; amending ch. 2005-293, Laws
 4 of Florida; prohibiting shifting the responsibility
 5 for paying ad valorem taxes of authority-owned
 6 properties used for private purposes to the authority;
 7 providing exceptions for the necessity of the
 8 authority to obtain certain documentation to develop
 9 facilities or otherwise improve its facilities;
 10 providing an effective date.

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

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 14 Section 1. Sections 10 and 12 of chapter 2005-293, Laws of
 15 Florida, are amended to read:

16 Section 10. Tax exemption.—All revenues and income derived
 17 from the services and facilities of the authority shall be
 18 exempt from all taxation by the state or by any county,
 19 municipality, or political subdivision thereof. Bonds,
 20 certificates, or other obligations issued pursuant to this act
 21 shall, together with the income thereon, be exempt from all
 22 taxation by the state or any county, municipality, or other
 23 political subdivision thereof. If authority-owned property
 24 becomes subject to ad valorem taxation resulting from use by a
 25 corporation or other private entity for a private purpose, the

26 responsibility for paying ad valorem taxes resulting from that
 27 private use shall remain with the private entity and may not
 28 shift to the authority. Notwithstanding the foregoing, the
 29 exemption granted by this section shall not be applicable to any
 30 tax imposed by chapter 220, Florida Statutes, on interest,
 31 income, or profits on debt obligations owned by corporations.

32 Section 12. Control or jurisdiction over authority;
 33 effect of local regulations.—It is ~~shall~~ not ~~be~~ necessary for
 34 the authority to obtain any certificate of convenience or
 35 necessity, franchise licenses, ~~license~~, permits ~~permit~~, or other
 36 authorizations ~~authorization thereof~~ from the applicable any
 37 county, municipality, or political subdivision of the state that
 38 have jurisdiction in the geographic location that the authority
 39 intends to develop facilities or otherwise improve its
 40 facilities. However, such development by the authority:

- 41 (1) Must comply with the Florida Building Code;
- 42 (2) Must comply with the Florida Fire Protection Code;
- 43 (3) Must comply with the Flood Plain Management Ordinances
 44 of the applicable jurisdiction;
- 45 (4) Must comply with the requirements of any applicable
 46 state or federal grants;
- 47 (5) For development of authority-owned properties located
 48 in the Downtown Historic District of the City of Fernandina
 49 Beach as of 2021, must comply with the requirements of the City
 50 of Fernandina Beach Historic District requirements delineated in

51 the City of Fernandina Beach Land Development Code.

52 (6) Is prohibited if such development is a further
 53 expansion of the Port of Fernandina and authority-owned
 54 facilities into the Downtown Historic District of Fernandina
 55 Beach is prohibited.

56 (7) May not be permitted except in conformity with the
 57 applicable Comprehensive Plan, or elements or portion thereof
 58 prepared and adopted in conformity with the Community Planning
 59 Act as provided in s. 163.3161, Florida Statutes, ~~and this act~~
 60 ~~shall be full and complete authority for the powers granted in~~
 61 ~~this act. The rates, rentals, tolls, and other revenues and~~
 62 ~~income of the authority and its contracts, agreements, and acts~~
 63 ~~shall not be subject to regulation by the state or any board,~~
 64 ~~body, agency, or political subdivision thereof.~~

65 Section 2. This act shall take effect upon becoming a law.