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HB 1169

2023 Legislature

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 2 An act relating to Hamilton County; creating the
 3 Hamilton County Development Authority; providing
 4 definitions; providing for appointment and terms of
 5 the members of the board of the authority; providing
 6 powers; providing for annual budget and annual
 7 financial reporting; limiting authority to incur debt;
 8 providing purpose and construction; providing for
 9 severability; providing an effective date.

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

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 13 Section 1. Creation of district; purpose.—For the purpose
 14 of facilitating the planning and implementation of economic
 15 development of Hamilton County, the Hamilton County Development
 16 Authority is created as an independent special district under
 17 chapter 189, Florida Statutes, a body corporate and politic and
 18 which shall be deemed to be a public corporation. The boundaries
 19 of the authority shall be coextensive with the boundaries of
 20 Hamilton County.

21 Section 2. Definitions.—When used in this act the
 22 following words and terms, unless a different meaning appears
 23 clearly from the context, shall have the following meanings:

24 (1) "Authority" shall mean the Hamilton County Development
 25 Authority created by this act.

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26 (2) "Project" shall mean and include the acquisition of
 27 lands, properties and improvements for development, expansion
 28 and promotion of industry, commerce, agriculture, natural
 29 resources and vocational training, and the construction of
 30 buildings and plants for the purpose of selling, leasing or
 31 renting such structures to private persons, firms or
 32 corporations.

33 (3) "Cost of project" shall embrace the cost of
 34 construction, the cost of all lands, properties, easements,
 35 rights and franchises acquired, the cost of machinery and
 36 equipment, financing charges, interest prior to and during
 37 construction, cost of engineering, architectural and legal
 38 expense, and plans and specifications and other expenses
 39 necessary or incident to determining the feasibility or
 40 practicability of the project, administrative expenses, and such
 41 other expenses as may be necessary or incident to the financing
 42 herein authorized for the construction of any project and
 43 placing the same in operation.

44 Section 3. Board of Supervisors.—

45 (1) The board of the authority shall consist of seven
 46 supervisors appointed to staggered terms. The supervisors for
 47 seats 1, 2, 3, 4, and 5 shall be appointed by the Governor, each
 48 from the corresponding numbered county commissioner districts of
 49 the county as they are presently or hereafter constituted. The
 50 supervisors for seats 6 and 7 shall be appointed by the Hamilton

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51 County Board of County Commissioners from the county at large.

52 (2) The appointments to seats 1, 3, 5, and 7 shall be for
 53 initial terms of four years, and the appointments to seats 2, 4,
 54 and 6 shall be for initial terms of two years, with all
 55 subsequent appointments for all seats for terms of four years.
 56 Each member of the board of the authority shall be a qualified
 57 elector of Hamilton County.

58 (3) The board of supervisors shall elect from its
 59 membership at its organizational meeting, and annually
 60 thereafter, a chair, and a vice chair who shall act as secretary
 61 for the board.

62 (4) Any five (5) supervisors shall constitute a quorum for
 63 the transaction of the ordinary business of the authority.
 64 However, any action with respect to any project of the authority
 65 must be approved by a simple majority of votes. No business
 66 shall be transacted except at regularly called meetings and duly
 67 recorded in the minutes thereof.

68 (5) Supervisors shall serve without compensation but shall
 69 be reimbursed for travel expenses incurred in the performance of
 70 their duties as members of the authority as provided by chapter
 71 112, Florida Statutes.

72 Section 4. General powers and duties.—The Authority shall
 73 have the following powers and duties:

74 (1) To sue and be sued in the name of the authority; to
 75 adopt a seal and authorize the use of a facsimile thereof; and

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76 | to acquire, by purchase, gift, or otherwise, and to dispose of,
 77 | real and personal property or any interest in such property.

78 | (2) If the authority seeks to construct any project, or
 79 | use any project already constructed, on lands the title to which
 80 | shall then be in the county of Hamilton or any one of its
 81 | incorporated cities, the governing authorities of such county
 82 | and cities are authorized to convey title to such lands,
 83 | including any improvements thereon, to the authority.

84 | (3) To select and appoint agents and employees, including
 85 | engineers, architects, builders, and attorneys, and to fix their
 86 | compensation.

87 | (4) To make contracts and to execute all instruments
 88 | necessary or convenient to the exercise of its powers, including
 89 | contracts for construction, lease, rental and sale of projects
 90 | or contracts with respect to the use of projects constructed or
 91 | acquired by the authority.

92 | (5) To construct, erect, acquire, own, repair, remodel,
 93 | maintain, extend, improve, equip, operate and manage projects,
 94 | self-liquidating or otherwise, located on property owned or
 95 | leased by the authority, and to pay the cost of any such project
 96 | from the proceeds or revenue-anticipation certificates of the
 97 | authority or from any grant from the state, the county of
 98 | Hamilton, or any of the incorporated municipalities in the
 99 | county, or from any contribution or loan by individuals,
 100 | partnerships, limited liability corporations, or corporations

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101 for profit or not-for-profit, all of which the authority is
 102 hereby authorized to receive and accept and use.

103 (6) To borrow money for any of its corporate purposes and
 104 to execute notes, mortgages, deeds to secure debt, trust deeds,
 105 and such other instruments as may be necessary or convenient to
 106 evidence and secure such borrowing.

107 (7) To exercise any power granted by the laws of Florida
 108 to public or private corporations, performing similar functions,
 109 which is not in conflict with the constitution and laws of
 110 Florida.

111 (8) To issue revenue-anticipation certificates for the
 112 purpose of paying all or any part of the cost of any project of
 113 the authority. Such revenue-anticipation certificates shall be
 114 issued and validated under and in accordance with the applicable
 115 provisions of the laws of Florida.

116 (9) The authority shall provide financial reports in such
 117 form and such manner as required by chapters 189 and 218,
 118 Florida Statutes.

119 (10) The board of supervisors for the authority shall
 120 adopt an annual budget as required by chapter 189, Florida
 121 Statutes.

122 Section 5. The authority shall not in any manner create a
 123 debt as against the state, the county, or any of the
 124 incorporated municipalities in Hamilton County.

125 Section 6. This act shall be liberally construed to effect

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126 | the purposes thereof.

127 | Section 7. If any section, subsection, sentence, clause,
128 | or provision of this act is held invalid, the remainder of this
129 | act shall not be affected by such finding of invalidity.

130 | Section 8. This act may be amended only by special act of
131 | the Legislature.

132 | Section 9. This act shall take effect June 1, 2023.