

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Ways & Means Committee
 2 Representative Persons-Mulicka offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. Section 163.3756, Florida Statutes, is
7 repealed.

8 Section 2. Section 163.504, Florida Statutes, is amended
9 to read:

10 163.504 Safe neighborhood improvement districts; formation
11 authorized by ordinance; jurisdictional boundaries; prohibition
12 on future creation.-

13 (1) The governing body of any municipality or county may
14 authorize the formation of safe neighborhood improvement
15 districts through the adoption of a planning ordinance which
16 specifies that such districts may be created by one or more of

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17 the methods established in ss. 163.506, 163.508, 163.511, and
18 163.512. No district may overlap the jurisdictional boundaries
19 of a municipality and the unincorporated area of a county,
20 except by interlocal agreement.

21 (2) A safe neighborhood improvement district may not be
22 created on or after July 1, 2024. A safe neighborhood
23 improvement district in existence before July 1, 2024, may
24 continue to operate as provided in this part.

25 Section 3. Section 165.0615, Florida Statutes, is
26 repealed.

27 Section 4. Section 189.0312, Florida Statutes, is created
28 to read:

29 189.0312 Independent special districts; term of office.-

30 (1) A member of an elected governing body of an
31 independent special district may not serve for more than 12
32 consecutive years, unless the district's charter provides for
33 more restrictive terms of office. Service of a term of office
34 that commenced before November 5, 2024, does not count toward
35 the limitation imposed by this subsection.

36 (2) This section does not apply to a community development
37 district established under chapter 190, or an independent
38 special district created pursuant to a special act that provides
39 that any amendment to chapter 190 to grant additional powers
40 constitutes a power of the district.

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41 (3) This section does not require an independent special
42 district governed by an appointed governing body to convert to
43 an elected governing body.

44 Section 5. Section 189.0313, Florida Statutes, is created
45 to read:

46 189.0313 Independent special districts; boundaries;
47 exception.—Notwithstanding any other special law or general law
48 of local application to the contrary, the boundaries of an
49 independent special district shall only be changed by general
50 law or special act. This section does not apply to a community
51 development district established pursuant to chapter 190.

52 Section 6. Subsections (1) and (2) of section 189.062,
53 Florida Statutes, are amended to read:

54 189.062 Special procedures for inactive districts.—

55 (1) The department shall declare inactive any special
56 district in this state by documenting that:

57 (a) The special district meets one of the following
58 criteria:

59 1. The registered agent of the district, the chair of the
60 governing body of the district, or the governing body of the
61 appropriate local general-purpose government notifies the
62 department in writing that the district has taken no action for
63 2 or more years;

64 2. The registered agent of the district, the chair of the
65 governing body of the district, or the governing body of the

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66 appropriate local general-purpose government notifies the
67 department in writing that the district has not had a governing
68 body or a sufficient number of governing body members to
69 constitute a quorum for 2 or more years;

70 3. The registered agent of the district, the chair of the
71 governing body of the district, or the governing body of the
72 appropriate local general-purpose government fails to respond to
73 an inquiry by the department within 21 days;

74 4. The department determines, pursuant to s. 189.067, that
75 the district has failed to file any of the reports listed in s.
76 189.066;

77 5. The district has not had a registered office and agent
78 on file with the department for 1 or more years; ~~or~~

79 6. The governing body of a special district provides
80 documentation to the department that it has unanimously adopted
81 a resolution declaring the special district inactive. The
82 special district is responsible for payment of any expenses
83 associated with its dissolution; ~~or~~

84 7. The district is an independent special district or a
85 community redevelopment district created under part III of
86 chapter 163 that has reported no revenue, no expenditures, and
87 no debt under s. 189.016(9) or s. 218.32 for at least 5
88 consecutive fiscal years beginning no earlier than October 1,
89 2018. This subparagraph does not apply to a community
90 development district established under chapter 190 or to any

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91 independent special district operating pursuant to a special act
92 that provides that any amendment to chapter 190 to grant
93 additional powers constitutes a power of that district; or

94 8. For a mosquito control district created pursuant to
95 chapter 388, the department has received notice from the
96 Department of Agriculture and Consumer Services that the
97 district has failed to file a tentative work plan and tentative
98 detailed work plan budget as required by s. 388.271.

99 (b) The department, special district, or local general-
100 purpose government has published a notice of proposed
101 declaration of inactive status in a newspaper of general
102 circulation in the county or municipality in which the territory
103 of the special district is located and has sent a copy of such
104 notice by certified mail to the registered agent or chair of the
105 governing body, if any. If the special district is a dependent
106 special district with a governing body that is not identical to
107 the governing body of a single county or a single municipality,
108 a copy of such notice must also be sent by certified mail to the
109 governing body of the county or municipality on which the
110 district is dependent. Such notice must include the name of the
111 special district, the law under which it was organized and
112 operating, a general description of the territory included in
113 the special district, and a statement that any objections must
114 be filed pursuant to chapter 120 within 30 ~~21~~ days after the
115 publication date. The objections may include that the special

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116 district has outstanding debt obligations that are not included
117 in reports required under s. 189.016(9) or s. 218.32.

118 (c) Thirty ~~Twenty-one~~ days have elapsed from the
119 publication date of the notice of proposed declaration of
120 inactive status and no administrative appeals were filed.

121 (2) If any special district is declared inactive pursuant
122 to this section, the district may only expend funds as necessary
123 to service outstanding debt and to comply with existing bond
124 covenants and other contractual obligations. The property or
125 assets of the special district are subject to legal process for
126 payment of any debts of the district. After the payment of all
127 the debts of said inactive special district, the remainder of
128 its property or assets shall escheat to the county or
129 municipality wherein located. If, however, it shall be
130 necessary, in order to pay any such debt, to levy any tax or
131 taxes on the property in the territory or limits of the inactive
132 special district, the same may be assessed and levied by order
133 of the local general-purpose government wherein the same is
134 situated and shall be assessed by the county property appraiser
135 and collected by the county tax collector.

136 Section 7. Section 189.0694, Florida Statutes, is created
137 to read:

138 189.0694 Special districts; performance measures and
139 standards.-

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140 (1) Beginning October 1, 2024, or by the end of the first
141 full fiscal year after its creation, whichever is later, each
142 special district must establish goals and objectives for each
143 program and activity undertaken by the district, as well as
144 performance measures and standards to determine if the
145 district's goals and objectives are being achieved.

146 (2) By October 1 of each year thereafter, each special
147 district must publish an annual report on the district's website
148 describing:

149 (a) The goals and objectives achieved by the district, as
150 well as the performance measures and standards used by the
151 district to make this determination.

152 (b) Any goals or objectives the district failed to
153 achieve.

154 Section 8. Paragraph (c) is added to subsection (3) of
155 section 189.0695, Florida Statutes, to read:

156 189.0695 Independent special districts; performance
157 reviews.—

158 (3) The Office of Program Policy Analysis and Government
159 Accountability must conduct a performance review of all
160 independent special districts within the classifications
161 described in paragraphs (a), ~~and~~ (b), and (c) and may contract
162 as needed to complete the requirements of this subsection. The
163 Office of Program Policy Analysis and Government Accountability
164 shall submit the final report of the performance review to the

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165 President of the Senate and the Speaker of the House of
166 Representatives as follows:

167 (c) For all safe neighborhood improvement districts as
168 defined in s. 163.503(1), no later than September 30, 2025.

169 Section 9. Paragraph (a) of subsection (1) of section
170 190.005, Florida Statutes, is amended to read:

171 190.005 Establishment of district.—

172 (1) The exclusive and uniform method for the establishment
173 of a community development district with a size of 2,500 acres
174 or more shall be pursuant to a rule, adopted under chapter 120
175 by the Florida Land and Water Adjudicatory Commission, granting
176 a petition for the establishment of a community development
177 district.

178 (a) A petition for the establishment of a community
179 development district shall be filed by the petitioner with the
180 Florida Land and Water Adjudicatory Commission. The petition
181 shall contain:

182 1. A metes and bounds description of the external
183 boundaries of the district. Any real property within the
184 external boundaries of the district which is to be excluded from
185 the district shall be specifically described, and the last known
186 address of all owners of such real property shall be listed. The
187 petition shall also address the impact of the proposed district
188 on any real property within the external boundaries of the
189 district which is to be excluded from the district.

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190 2. The written consent to the establishment of the
191 district by all landowners whose real property is to be included
192 in the district or documentation demonstrating that the
193 petitioner has control by deed, trust agreement, contract, or
194 option of 100 percent of the real property to be included in the
195 district, and when real property to be included in the district
196 is owned by a governmental entity and subject to a ground lease
197 as described in s. 190.003(14), the written consent by such
198 governmental entity.

199 3. A designation of five persons to be the initial members
200 of the board of supervisors, who shall serve in that office
201 until replaced by elected members as provided in s. 190.006.

202 4. The proposed name of the district.

203 5. A map of the proposed district showing current major
204 trunk water mains and sewer interceptors and outfalls if in
205 existence.

206 6. Based upon available data, the proposed timetable for
207 construction of the district services and the estimated cost of
208 constructing the proposed services. These estimates shall be
209 submitted in good faith but are not binding and may be subject
210 to change.

211 7. A designation of the future general distribution,
212 location, and extent of public and private uses of land proposed
213 for the area within the district by the future land use plan
214 element of the effective local government comprehensive plan of

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215 | which all mandatory elements have been adopted by the applicable
216 | general-purpose local government in compliance with the
217 | Community Planning Act.

218 | 8. A statement of estimated regulatory costs in accordance
219 | with the requirements of s. 120.541.

220 | 9. A sworn affidavit, signed by the petitioner, attesting
221 | that the planned development of the proposed district will
222 | contain sufficient residential units for at least 250 qualified
223 | electors within a proposed district of 5,000 acres or less, or
224 | at least 500 qualified electors within a proposed district
225 | exceeding 5,000 acres or a compact, urban, mixed-use district.

226 | Section 10. Subsection (3) is added to section 191.013,
227 | Florida Statutes, to read:

228 | 191.013 Intergovernmental coordination.—

229 | (3) By October 1 of each year, each independent special
230 | fire control district shall report to the Division of State Fire
231 | Marshal whether each of the district's firefighters and
232 | volunteer firefighters have completed the required trainings and
233 | certifications established by the division pursuant to s.
234 | 633.408.

235 | Section 11. Section 388.211, Florida Statutes, is amended
236 | to read:

237 | 388.211 Change in district boundaries.—

238 | ~~(1)~~ The boundaries of each district may only be changed by
239 | a special act of the Legislature ~~The board of commissioners of~~

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240 ~~any district formed prior to July 1, 1980, may, for and on~~
241 ~~behalf of the district or the qualified electors within or~~
242 ~~without the district, request that the board of county~~
243 ~~commissioners in each county having land within the district~~
244 ~~approve a change in the boundaries of the district.~~

245 ~~(2) If the board of county commissioners approves such~~
246 ~~change, an amendment shall be made to the order creating the~~
247 ~~district to conform with the boundary change.~~

248 Section 12. Subsection (1) of section 388.221, Florida
249 Statutes, is amended to read:

250 388.221 Tax levy.—

251 (1) The board of commissioners of such district may levy
252 upon all of the real and personal taxable property in said
253 district a special tax not exceeding 1 mill ~~10 mills~~ on the
254 dollar during each year as maintenance tax to be used solely for
255 the purposes authorized and prescribed by this chapter. Said
256 board shall by resolution certify to the property appraiser of
257 the county in which the property is situate, timely for the
258 preparation of the tax roll, the tax rate to be applied in
259 determining the amount of the district's annual maintenance tax.
260 Certified copies of such resolution executed in the name of said
261 board by its chair and secretary and under its corporate seal
262 shall be made and delivered to the property appraiser and the
263 board of county commissioners of the county in which such
264 district is located, and to the Department of Revenue not later

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265 than September 30 of such year. The property appraiser of said
266 county shall assess and the tax collector of said county shall
267 collect the amount of taxes so assessed and levied by said board
268 of commissioners of said district upon all of the taxable real
269 and personal property in said district at the rate of taxation
270 adopted by said board for said year and included in said
271 resolution, and said levy shall be included in the warrants of
272 the property appraiser and attached to the assessment roll of
273 taxes for said county each year. The tax collector shall collect
274 such taxes so levied by said board in the same manner as other
275 taxes are collected and shall pay the same within the time and
276 in the manner prescribed by law to the treasurer of said board.
277 The Department of Revenue shall assess and levy on all the
278 railroad lines and railroad property and telegraph and telephone
279 lines and telegraph and telephone property situated in said
280 district in the amount of each such levy as in case of other
281 state and county taxes and shall collect said taxes thereon in
282 the same manner as it is required by law to assess and collect
283 taxes for state and county purposes and remit the same to the
284 treasurer of said board. All such taxes shall be held by said
285 treasurer for the credit of said board and paid out by him or
286 her as ordered by said board.

287 Section 13. Subsection (1) of section 388.271, Florida
288 Statutes, is amended and subsection (3) of that section is
289 added, to read:

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290 388.271 Prerequisites to participation.—

291 (1) When state funds are involved, it is the duty of the
292 department to guide, review, approve, and coordinate the
293 activities of all county governments and special districts
294 receiving state funds in furtherance of the goal of integrated
295 arthropod control. Each county ~~or district~~ eligible to
296 participate ~~hereunder~~ may, and each district must, begin
297 participation on October 1 of any year by filing with the
298 department not later than July 15 a tentative work plan and
299 tentative detailed work plan budget providing for the control of
300 arthropods. Following approval of the plan and budget by the
301 department, two copies of the county's or district's certified
302 budget based on the approved work plan and detailed work plan
303 budget shall be submitted to the department by September 30
304 following. State funds, supplies, and services shall be made
305 available to such county or district by and through the
306 department immediately upon release of funds by the Executive
307 Office of the Governor.

308 (3) If a special district fails to submit a tentative work
309 plan and tentative detailed work plan budget as required by
310 subsection (1), the department shall send notice of such failure
311 to the Department of Commerce within 30 days.

312 Section 14. Paragraph (c) of subsection (2) of section
313 388.46, Florida Statutes, is amended to read:

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314 388.46 Florida Coordinating Council on Mosquito Control;
315 establishment; membership; organization; responsibilities.—

316 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

317 (c) Responsibilities.—The council shall:

318 1. Develop and implement guidelines to assist the
319 department in resolving disputes arising over the control of
320 arthropods on publicly owned lands.

321 2. Develop and recommend to the department a request for
322 proposal process for arthropod control research.

323 3. Identify potential funding sources for research or
324 implementation projects and evaluate and prioritize proposals
325 upon request by the funding source.

326 4. Prepare and present reports, as needed, on arthropod
327 control activities in the state to other governmental
328 organizations, as appropriate.

329 5. By August 30, 2024, develop model goals, objectives,
330 and performance measures and standards to assist mosquito
331 control districts in conducting performance monitoring pursuant
332 to s. 189.0694.

333 Section 15. This act shall take effect July 1, 2024.

334

335

336

T I T L E A M E N D M E N T

337

Remove everything before the enacting clause and insert:

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338 An act relating to special districts; repealing s. 163.3756,
339 F.S., relating to inactive community redevelopment agencies;
340 amending s. 163.504, F.S.; prohibiting the creation of new
341 neighborhood improvement districts after a date certain;
342 repealing s. 165.0615 F.S., relating to municipal conversion of
343 independent special districts upon elector-initiated and
344 approved referendum; creating s. 189.0312, F.S.; providing term
345 limits for elected members of governing bodies of independent
346 special districts; providing an exception; providing
347 construction; creating s. 189.0313, F.S.; providing the method
348 for changing boundaries of an independent special district;
349 providing an exception; amending s. 189.062, F.S.; providing
350 additional criteria for declaring a special district inactive;
351 requiring certain special districts to provide notice of a
352 proposed declaration of inactive status in the county or
353 municipality under certain circumstances; revising the time
354 period for filing an objection to a proposed declaration;
355 authorizing a specific objection; providing that a district
356 declared inactive may only expend funds as necessary to service
357 outstanding debt and to comply with existing bond covenants and
358 contractual obligations; creating s. 189.0694, F.S.; requiring
359 special districts to establish performance measures to assess
360 performance; requiring special districts to publish an annual
361 report concerning performance measures; amending s. 189.0695,
362 F.S.; requiring the Office of Program Policy Analysis and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7013 (2024)

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363 Governmental Accountability to conduct performance reviews;
364 amending s. 190.005, F.S.; requiring the petition for creation
365 of a community development district to contain specified
366 information; amending s. 191.013, F.S.; requiring independent
367 special fire control districts to annually report training
368 information to the Division of State Fire Marshal; amending s.
369 388.211, F.S.; providing the boundaries of a mosquito control
370 district may only be changed by special act; amending s.
371 388.221, F.S.; reducing the maximum millage rate for mosquito
372 control districts; amending s. 388.271, F.S.; requiring, instead
373 of authorizing, special districts to file tentative work plans
374 and work plan budgets at specified intervals; requiring the
375 Department of Agriculture and Consumer Services to report to the
376 Department of Commerce if certain special districts fail to
377 submit specified information; amending s. 388.46, F.S.;
378 requiring the Florida Coordinating Council on Mosquito Control
379 to establish model measures to assist districts in conducting
380 performance monitoring; providing an effective date.