

1 A bill to be entitled
2 An act relating to special districts; repealing s.
3 163.3756, F.S., relating to inactive community
4 redevelopment agencies; amending s. 163.504, F.S.;
5 prohibiting the creation of new neighborhood
6 improvement districts after a date certain; repealing
7 s. 165.0615 F.S., relating to municipal conversion of
8 independent special districts upon elector-initiated
9 and approved referendum; creating s. 189.0312, F.S.;
10 providing term limits for elected members of governing
11 bodies of independent special districts; providing an
12 exception; providing construction; creating s.
13 189.0313, F.S.; requiring continuation of independent
14 special districts that levy ad valorem taxes;
15 providing the ballot question; providing procedures if
16 reauthorization is approved or is not approved by
17 voters; providing exceptions; amending s. 189.062,
18 F.S.; providing additional criteria for declaring a
19 special district inactive; requiring certain special
20 districts to provide notice of a proposed declaration
21 of inactive status in the county or municipality under
22 certain circumstances; revising the time period for
23 filing an objection to a proposed declaration;
24 authorizing a specific objection; providing that a
25 district declared inactive may only expend funds as

26 necessary to service outstanding debt; creating s.
 27 189.0694, F.S.; requiring special districts to
 28 establish performance measures to assess performance;
 29 requiring special districts to publish an annual
 30 report concerning performance measures; amending s.
 31 189.0695, F.S.; requiring the Office of Program Policy
 32 Analysis and Governmental Accountability to conduct
 33 performance reviews; amending s. 189.016, F.S.;
 34 requiring independent districts that have been
 35 continued to file reports and information to specified
 36 entities; amending s. 190.005, F.S.; requiring
 37 petition for creation of a community development
 38 district to contain specified information; amending s.
 39 191.013, F.S.; requiring independent special fire
 40 control districts to annually report training
 41 information to the Division of State Fire Marshal;
 42 amending s. 388.271, F.S.; requiring, instead of
 43 authorizing, special districts to file tentative work
 44 plans and work plan budgets at specified intervals;
 45 requiring the Department of Agriculture and Consumer
 46 Services to report to the Department of Commerce if
 47 certain special districts fail to submit specified
 48 information; amending s. 388.46, F.S.; requiring
 49 Florida Coordinating Council on Mosquito Control to
 50 establish model measures to assist districts in

HB 7013

2024

51 conducting performance monitoring; providing an
 52 effective date.

53
 54 Be It Enacted by the Legislature of the State of Florida:

55
 56 Section 1. Section 163.3756, Florida Statutes, is
 57 repealed.

58 Section 2. Section 163.504, Florida Statutes, is amended
 59 to read:

60 163.504 Safe neighborhood improvement districts; formation
 61 authorized by ordinance; jurisdictional boundaries; prohibition
 62 on future creation.—

63 (1) The governing body of any municipality or county may
 64 authorize the formation of safe neighborhood improvement
 65 districts through the adoption of a planning ordinance which
 66 specifies that such districts may be created by one or more of
 67 the methods established in ss. 163.506, 163.508, 163.511, and
 68 163.512. No district may overlap the jurisdictional boundaries
 69 of a municipality and the unincorporated area of a county,
 70 except by interlocal agreement.

71 (2) A safe neighborhood improvement district may not be
 72 created on or after July 1, 2024. A safe neighborhood
 73 improvement district in existence before July 1, 2024, may
 74 continue to operate as provided in this part.

75 Section 3. Section 165.0615, Florida Statutes, is

76 repealed.

77 Section 4. Section 189.0312, Florida Statutes, is created
78 to read:

79 189.0312 Term of office.—

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

86 (2) This section does not apply to a community development
87 district established under chapter 190, or an independent
88 special district created pursuant to a special act that provides
89 that any amendment to chapter 190 to grant additional powers
90 constitutes a power of the district.

91 (3) This section does not require an independent special
92 district governed by an appointed governing body to convert to
93 an elected governing body.

94 Section 5. Section 189.0313, Florida Statutes, is created
95 to read:

96 189.0313 Independent special districts with ad valorem
97 taxing powers; voter reauthorization.—

98 (1) The governing body of each independent special
99 district that exercises ad valorem taxing powers created:

100 (a) Before January 1, 2018, shall conduct a referendum to

HB 7013

2024

101 be held in conjunction with the general election held on
102 November 3, 2026, containing the ballot question described in
103 subsection (3).

104 (b) On or after January 1, 2018, shall conduct a
105 referendum to be held in conjunction with the next general
106 election held 10 years after the creation date of the district
107 containing the ballot question in subsection (3).

108 (2)(a) If a majority of the qualified electors voting in
109 the referendum approves the continuation of the independent
110 special district, the governing body of the special district
111 must conduct another referendum containing the ballot question
112 in subsection (3) held in conjunction with the general election
113 every 10 years thereafter until such time as the continuation of
114 the independent special district is no longer approved by a
115 majority vote of the qualified electors voting in the
116 referendum.

117 (b) If a majority of the qualified electors does not
118 approve the continuation of the independent special district,
119 the governing body of the district may not incur any additional
120 obligations or indebtedness, including the issuance of new bonds
121 or extending the maturity date of any outstanding bonds, other
122 than expenses incurred in the ordinary course of business.
123 Within 90 days after the date of the referendum, the governing
124 body of the district, by resolution, must adopt a dissolution
125 plan that includes provisions for liquidating all of the

126 district's assets, satisfying all of the district's obligations
 127 and indebtedness, ensuring the continuity of public services
 128 provided by the district, and providing a date on which the
 129 district will terminate its operations. The resolution shall be
 130 considered at a public meeting held specifically to consider the
 131 dissolution plan that is not a regularly scheduled or emergency
 132 meeting of the governing body of the independent special
 133 district. The proposed dissolution plan must be posted on the
 134 district's official website at least 2 days before the meeting.
 135 The adopted dissolution plan must be posted on the independent
 136 special district's official website within 30 days after
 137 adoption and must remain on the website. The governing body of
 138 the district must submit its dissolution plan to the local
 139 governing authority or authorities and to the department within
 140 30 days after adoption.

141 (3) A referendum called pursuant to this section shall
 142 contain a ballot question in substantially the following form:

144 Should the independent special district known as the (name
 145 of district), which has the authority to levy each year an
 146 ad valorem tax not to exceed (maximum millage approved by
 147 the voters) to fund (type of service provided by district)
 148 be continued for another 10 years?

149 YES

150 NO

151
 152 (4) This section does not apply to a community development
 153 district established pursuant to chapter 190, a water management
 154 district created and operated pursuant to chapter 373, an inland
 155 navigation district established pursuant to chapter 374, or an
 156 independent special district created pursuant to a special act
 157 that provides that any amendment to chapter 190 to grant
 158 additional powers constitutes a power of that district.

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

161 189.062 Special procedures for inactive districts.—

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

164 (a) The special district meets one of the following
 165 criteria:

166 1. The registered agent of the district, the chair of the
 167 governing body of the district, or the governing body of the
 168 appropriate local general-purpose government notifies the
 169 department in writing that the district has taken no action for
 170 2 or more years;

171 2. The registered agent of the district, the chair of the
 172 governing body of the district, or the governing body of the
 173 appropriate local general-purpose government notifies the
 174 department in writing that the district has not had a governing
 175 body or a sufficient number of governing body members to

176 constitute a quorum for 2 or more years;

177 3. The registered agent of the district, the chair of the
 178 governing body of the district, or the governing body of the
 179 appropriate local general-purpose government fails to respond to
 180 an inquiry by the department within 21 days;

181 4. The department determines, pursuant to s. 189.067, that
 182 the district has failed to file any of the reports listed in s.
 183 189.066;

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

186 6. The governing body of a special district provides
 187 documentation to the department that it has unanimously adopted
 188 a resolution declaring the special district inactive. The
 189 special district is responsible for payment of any expenses
 190 associated with its dissolution;~~;~~

191 7. The district is an independent special district or a
 192 community redevelopment district created under part III of
 193 chapter 163 that has reported no revenue, no expenditures, and
 194 no debt under s. 189.016(9) or s. 218.32 for at least 5
 195 consecutive fiscal years beginning no earlier than October 1,
 196 2018. This subparagraph does not apply to a community
 197 development district established under chapter 190 or to any
 198 independent special district operating pursuant to a special act
 199 that provides that any amendment to chapter 190 to grant
 200 additional powers constitutes a power of that district;

201 8. The district has unresolved audit findings for three
 202 consecutive annual financial audit reports performed pursuant to
 203 s. 218.39; or

204 9. For a mosquito control district created pursuant to
 205 chapter 388, the department has received notice from the
 206 Department of Agriculture and Consumer Services that the
 207 district has failed to file a tentative work plan and tentative
 208 detailed work plan budget as required by s. 388.271.

209 (b) The department, special district, or local general-
 210 purpose government has published a notice of proposed
 211 declaration of inactive status in a newspaper of general
 212 circulation in the county or municipality in which the territory
 213 of the special district is located and has sent a copy of such
 214 notice by certified mail to the registered agent or chair of the
 215 governing body, if any. If the special district is a dependent
 216 special district with a governing body that is not identical to
 217 the governing body of a single county or a single municipality,
 218 a copy of such notice must also be sent by certified mail to the
 219 governing body of the county or municipality on which the
 220 district is dependent. Such notice must include the name of the
 221 special district, the law under which it was organized and
 222 operating, a general description of the territory included in
 223 the special district, and a statement that any objections must
 224 be filed pursuant to chapter 120 within 30 ~~21~~ days after the
 225 publication date. The objections may include that the special

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

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

231 (2) If any special district is declared inactive pursuant
 232 to this section, the district may only expend funds as necessary
 233 to service outstanding debt. The property or assets of the
 234 special district are subject to legal process for payment of any
 235 debts of the district. After the payment of all the debts of
 236 said inactive special district, the remainder of its property or
 237 assets shall escheat to the county or municipality wherein
 238 located. If, however, it shall be necessary, in order to pay any
 239 such debt, to levy any tax or taxes on the property in the
 240 territory or limits of the inactive special district, the same
 241 may be assessed and levied by order of the local general-purpose
 242 government wherein the same is situated and shall be assessed by
 243 the county property appraiser and collected by the county tax
 244 collector.

245 Section 7. Section 189.0694, Florida Statutes, is created
 246 to read:

247 189.0694 Special districts; performance measures and
 248 standards.-

249 (1) Beginning October 1, 2024, or by the end of the first
 250 full fiscal year after its creation, whichever is later, each

HB 7013

2024

251 special district must establish goals and objectives for each
252 program and activity undertaken by the district, as well as
253 performance measures and standards to determine if the
254 district's goals and objectives are being achieved.

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

258 (a) The goals and objectives achieved by the district, as
259 well as the performance measures and standards used by the
260 district to make this determination.

261 (b) Any goals or objectives the district failed to
262 achieve.

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

265 189.0695 Independent special districts; performance
266 reviews.—

267 (3) The Office of Program Policy Analysis and Government
268 Accountability must conduct a performance review of all
269 independent special districts within the classifications
270 described in paragraphs (a) ~~, and~~ (b) , and (c) and may contract
271 as needed to complete the requirements of this subsection. The
272 Office of Program Policy Analysis and Government Accountability
273 shall submit the final report of the performance review to the
274 President of the Senate and the Speaker of the House of
275 Representatives as follows:

HB 7013

2024

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

278 Section 9. Subsection (10) of section 189.016, Florida
279 Statutes, is amended to read:

280 189.016 Reports; budgets; audits.—

281 (10) All reports or information required to be filed with
282 a local general-purpose government or governing authority under
283 ss. 189.014, 189.015, 189.0313, and 189.08 and subsection (8)
284 must:

285 (a) If the local general-purpose government or governing
286 authority is a county, be filed with the clerk of the board of
287 county commissioners.

288 (b) If the district is a multicounty district, be filed
289 with the clerk of the county commission in each county.

290 (c) If the local general-purpose government or governing
291 authority is a municipality, be filed at the place designated by
292 the municipal governing body.

293 Section 10. Paragraph (a) of subsection (1) of section
294 190.005, Florida Statutes, is amended to read:

295 190.005 Establishment of district.—

296 (1) The exclusive and uniform method for the establishment
297 of a community development district with a size of 2,500 acres
298 or more shall be pursuant to a rule, adopted under chapter 120
299 by the Florida Land and Water Adjudicatory Commission, granting
300 a petition for the establishment of a community development

HB 7013

2024

301 district.

302 (a) A petition for the establishment of a community
303 development district shall be filed by the petitioner with the
304 Florida Land and Water Adjudicatory Commission. The petition
305 shall contain:

306 1. A metes and bounds description of the external
307 boundaries of the district. Any real property within the
308 external boundaries of the district which is to be excluded from
309 the district shall be specifically described, and the last known
310 address of all owners of such real property shall be listed. The
311 petition shall also address the impact of the proposed district
312 on any real property within the external boundaries of the
313 district which is to be excluded from the district.

314 2. The written consent to the establishment of the
315 district by all landowners whose real property is to be included
316 in the district or documentation demonstrating that the
317 petitioner has control by deed, trust agreement, contract, or
318 option of 100 percent of the real property to be included in the
319 district, and when real property to be included in the district
320 is owned by a governmental entity and subject to a ground lease
321 as described in s. 190.003(14), the written consent by such
322 governmental entity.

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

326 4. The proposed name of the district.

327 5. A map of the proposed district showing current major
328 trunk water mains and sewer interceptors and outfalls if in
329 existence.

330 6. Based upon available data, the proposed timetable for
331 construction of the district services and the estimated cost of
332 constructing the proposed services. These estimates shall be
333 submitted in good faith but are not binding and may be subject
334 to change.

335 7. A designation of the future general distribution,
336 location, and extent of public and private uses of land proposed
337 for the area within the district by the future land use plan
338 element of the effective local government comprehensive plan of
339 which all mandatory elements have been adopted by the applicable
340 general-purpose local government in compliance with the
341 Community Planning Act.

342 8. A statement of estimated regulatory costs in accordance
343 with the requirements of s. 120.541.

344 9. A sworn affidavit, signed by the petitioner, attesting
345 that the planned development of the proposed district will
346 contain sufficient residential units for at least 250 qualified
347 electors within a proposed district of 5,000 acres or less, or
348 at least 500 qualified electors within a proposed district
349 exceeding 5,000 acres or a compact, urban, mixed-use district.

350 Section 11. Subsection (3) is added to section 191.013,

351 Florida Statutes, to read:

352 191.013 Intergovernmental coordination.—

353 (3) By October 1 of each year, each independent special
 354 fire control district shall report to the Division of State Fire
 355 Marshal whether each of the district's firefighters and
 356 volunteer firefighters have completed the required trainings and
 357 certifications established by the division pursuant to s.
 358 633.408.

359 Section 12. Subsection (1) of section 388.271, Florida
 360 Statutes, is amended and subsection (3) of that section is
 361 added, to read:

362 388.271 Prerequisites to participation.—

363 (1) When state funds are involved, it is the duty of the
 364 department to guide, review, approve, and coordinate the
 365 activities of all county governments and special districts
 366 receiving state funds in furtherance of the goal of integrated
 367 arthropod control. Each county ~~or district~~ eligible to
 368 participate ~~hereunder~~ may, and each district must, begin
 369 participation on October 1 of any year by filing with the
 370 department not later than July 15 a tentative work plan and
 371 tentative detailed work plan budget providing for the control of
 372 arthropods. Following approval of the plan and budget by the
 373 department, two copies of the county's or district's certified
 374 budget based on the approved work plan and detailed work plan
 375 budget shall be submitted to the department by September 30

HB 7013

2024

376 following. State funds, supplies, and services shall be made
377 available to such county or district by and through the
378 department immediately upon release of funds by the Executive
379 Office of the Governor.

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

384 Section 13. Paragraph (c) of subsection (2) of section
385 388.46, Florida Statutes, is amended to read:

386 388.46 Florida Coordinating Council on Mosquito Control;
387 establishment; membership; organization; responsibilities.—

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

389 (c) Responsibilities.—The council shall:

390 1. Develop and implement guidelines to assist the
391 department in resolving disputes arising over the control of
392 arthropods on publicly owned lands.

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

395 3. Identify potential funding sources for research or
396 implementation projects and evaluate and prioritize proposals
397 upon request by the funding source.

398 4. Prepare and present reports, as needed, on arthropod
399 control activities in the state to other governmental
400 organizations, as appropriate.

HB 7013

2024

401 5. By August 30, 2024, develop model goals, objectives,
402 and performance measures and standards to assist mosquito
403 control districts in conducting performance monitoring pursuant
404 to s. 189.0694.

405 Section 14. This act shall take effect July 1, 2024.