

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.; providing the method for changing  
14          boundaries of an independent special district;  
15          providing an exception; amending s. 189.062, F.S.;  
16          providing additional criteria for declaring a special  
17          district inactive; requiring certain special districts  
18          to provide notice of a proposed declaration of  
19          inactive status in the county or municipality under  
20          certain circumstances; revising the time period for  
21          filing an objection to a proposed declaration;  
22          authorizing a specific objection; providing that a  
23          district declared inactive may only expend funds as  
24          necessary to service outstanding debt and to comply  
25          with existing bond covenants and contractual

26 obligations; creating s. 189.0694, F.S.; requiring  
27 special districts to establish performance measures to  
28 assess performance; requiring special districts to  
29 publish an annual report concerning performance  
30 measures; amending s. 189.0695, F.S.; requiring the  
31 Office of Program Policy Analysis and Governmental  
32 Accountability to conduct performance reviews;  
33 amending s. 190.005, F.S.; requiring the petition for  
34 creation of a community development district to  
35 contain specified information; repealing s. 190.047,  
36 F.S., relating to incorporation or annexation of a  
37 district; amending s. 191.013, F.S.; requiring  
38 independent special fire control districts to annually  
39 report training information to the Division of State  
40 Fire Marshal; amending s. 388.211, F.S.; providing the  
41 boundaries of a mosquito control district may only be  
42 changed by special act; amending s. 388.221, F.S.;  
43 reducing the maximum millage rate for mosquito control  
44 districts; amending s. 388.271, F.S.; requiring,  
45 instead of authorizing, special districts to file  
46 tentative work plans and work plan budgets at  
47 specified intervals; requiring the Department of  
48 Agriculture and Consumer Services to report to the  
49 Department of Commerce if certain special districts  
50 fail to submit specified information; amending s.

51 388.46, F.S.; requiring the Florida Coordinating  
 52 Council on Mosquito Control to establish model  
 53 measures to assist districts in conducting performance  
 54 monitoring; providing an effective date.

55  
 56 Be It Enacted by the Legislature of the State of Florida:

57  
 58 Section 1. Section 163.3756, Florida Statutes, is  
 59 repealed.

60 Section 2. Section 163.504, Florida Statutes, is amended  
 61 to read:

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

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

73 (2) A safe neighborhood improvement district may not be  
 74 created on or after July 1, 2024. A safe neighborhood  
 75 improvement district in existence before July 1, 2024, may

76 continue to operate as provided in this part.

77 Section 3. Section 165.0615, Florida Statutes, is  
 78 repealed.

79 Section 4. Section 189.0312, Florida Statutes, is created  
 80 to read:

81 189.0312 Independent special districts; term of office.—

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

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

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

96 Section 5. Section 189.0313, Florida Statutes, is created  
 97 to read:

98 189.0313 Independent special districts; boundaries;  
 99 exception.—Notwithstanding any special law or general law of  
 100 local application to the contrary, the boundaries of an

101 independent special district shall only be changed by general  
 102 law or special act. This section does not apply to a community  
 103 development district established pursuant to chapter 190.

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

106 189.062 Special procedures for inactive districts.—

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

109 (a) The special district meets one of the following  
 110 criteria:

111 1. The registered agent of the district, the chair of the  
 112 governing body of the district, or the governing body of the  
 113 appropriate local general-purpose government notifies the  
 114 department in writing that the district has taken no action for  
 115 2 or more years;

116 2. The registered agent of the district, the chair of the  
 117 governing body of the district, or the governing body of the  
 118 appropriate local general-purpose government notifies the  
 119 department in writing that the district has not had a governing  
 120 body or a sufficient number of governing body members to  
 121 constitute a quorum for 2 or more years;

122 3. The registered agent of the district, the chair of the  
 123 governing body of the district, or the governing body of the  
 124 appropriate local general-purpose government fails to respond to  
 125 an inquiry by the department within 21 days;

126 4. The department determines, pursuant to s. 189.067, that  
 127 the district has failed to file any of the reports listed in s.  
 128 189.066;

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

131 6. The governing body of a special district provides  
 132 documentation to the department that it has unanimously adopted  
 133 a resolution declaring the special district inactive. The  
 134 special district is responsible for payment of any expenses  
 135 associated with its dissolution;~~;~~

136 7. The district is an independent special district or a  
 137 community redevelopment district created under part III of  
 138 chapter 163 that has reported no revenue, no expenditures, and  
 139 no debt under s. 189.016(9) or s. 218.32 for at least 5  
 140 consecutive fiscal years beginning no earlier than October 1,  
 141 2018. This subparagraph does not apply to a community  
 142 development district established under chapter 190 or to any  
 143 independent special district operating pursuant to a special act  
 144 that provides that any amendment to chapter 190 to grant  
 145 additional powers constitutes a power of that district; or

146 8. For a mosquito control district created pursuant to  
 147 chapter 388, the department has received notice from the  
 148 Department of Agriculture and Consumer Services that the  
 149 district has failed to file a tentative work plan and tentative  
 150 detailed work plan budget as required by s. 388.271.

151 (b) The department, special district, or local general-  
 152 purpose government has published a notice of proposed  
 153 declaration of inactive status in a newspaper of general  
 154 circulation in the county or municipality in which the territory  
 155 of the special district is located and has sent a copy of such  
 156 notice by certified mail to the registered agent or chair of the  
 157 governing body, if any. If the special district is a dependent  
 158 special district with a governing body that is not identical to  
 159 the governing body of a single county or a single municipality,  
 160 a copy of such notice must also be sent by certified mail to the  
 161 governing body of the county or municipality on which the  
 162 district is dependent. Such notice must include the name of the  
 163 special district, the law under which it was organized and  
 164 operating, a general description of the territory included in  
 165 the special district, and a statement that any objections must  
 166 be filed pursuant to chapter 120 within 30 ~~21~~ days after the  
 167 publication date. The objections may include that the special  
 168 district has outstanding debt obligations that are not included  
 169 in reports required under s. 189.016(9) or s. 218.32.

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

173 (2) If any special district is declared inactive pursuant  
 174 to this section, the district may only expend funds as necessary  
 175 to service outstanding debt and to comply with existing bond

176 covenants and other contractual obligations. The property or  
 177 assets of the special district are subject to legal process for  
 178 payment of any debts of the district. After the payment of all  
 179 the debts of said inactive special district, the remainder of  
 180 its property or assets shall escheat to the county or  
 181 municipality wherein located. If, however, it shall be  
 182 necessary, in order to pay any such debt, to levy any tax or  
 183 taxes on the property in the territory or limits of the inactive  
 184 special district, the same may be assessed and levied by order  
 185 of the local general-purpose government wherein the same is  
 186 situated and shall be assessed by the county property appraiser  
 187 and collected by the county tax collector.

188 Section 7. Section 189.0694, Florida Statutes, is created  
 189 to read:

190 189.0694 Special districts; performance measures and  
 191 standards.-

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

198 (2) By December 1 of each year thereafter, each special  
 199 district must publish an annual report on the district's website  
 200 describing:

201        (a) The goals and objectives achieved by the district, as  
 202 well as the performance measures and standards used by the  
 203 district to make this determination.

204        (b) Any goals or objectives the district failed to  
 205 achieve.

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

208        189.0695 Independent special districts; performance  
 209 reviews.—

210        (3) The Office of Program Policy Analysis and Government  
 211 Accountability must conduct a performance review of all  
 212 independent special districts within the classifications  
 213 described in paragraphs (a), ~~and~~ (b), and (c) and may contract  
 214 as needed to complete the requirements of this subsection. The  
 215 Office of Program Policy Analysis and Government Accountability  
 216 shall submit the final report of the performance review to the  
 217 President of the Senate and the Speaker of the House of  
 218 Representatives as follows:

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

221        Section 9. Paragraph (a) of subsection (1) of section  
 222 190.005, Florida Statutes, is amended to read:

223        190.005 Establishment of district.—

224        (1) The exclusive and uniform method for the establishment  
 225 of a community development district with a size of 2,500 acres

226 or more shall be pursuant to a rule, adopted under chapter 120  
 227 by the Florida Land and Water Adjudicatory Commission, granting  
 228 a petition for the establishment of a community development  
 229 district.

230 (a) A petition for the establishment of a community  
 231 development district shall be filed by the petitioner with the  
 232 Florida Land and Water Adjudicatory Commission. The petition  
 233 shall contain:

234 1. A metes and bounds description of the external  
 235 boundaries of the district. Any real property within the  
 236 external boundaries of the district which is to be excluded from  
 237 the district shall be specifically described, and the last known  
 238 address of all owners of such real property shall be listed. The  
 239 petition shall also address the impact of the proposed district  
 240 on any real property within the external boundaries of the  
 241 district which is to be excluded from the district.

242 2. The written consent to the establishment of the  
 243 district by all landowners whose real property is to be included  
 244 in the district or documentation demonstrating that the  
 245 petitioner has control by deed, trust agreement, contract, or  
 246 option of 100 percent of the real property to be included in the  
 247 district, and when real property to be included in the district  
 248 is owned by a governmental entity and subject to a ground lease  
 249 as described in s. 190.003(14), the written consent by such  
 250 governmental entity.

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

254 4. The proposed name of the district.

255 5. A map of the proposed district showing current major  
 256 trunk water mains and sewer interceptors and outfalls if in  
 257 existence.

258 6. Based upon available data, the proposed timetable for  
 259 construction of the district services and the estimated cost of  
 260 constructing the proposed services. These estimates shall be  
 261 submitted in good faith but are not binding and may be subject  
 262 to change.

263 7. A designation of the future general distribution,  
 264 location, and extent of public and private uses of land proposed  
 265 for the area within the district by the future land use plan  
 266 element of the effective local government comprehensive plan of  
 267 which all mandatory elements have been adopted by the applicable  
 268 general-purpose local government in compliance with the  
 269 Community Planning Act.

270 8. A statement of estimated regulatory costs in accordance  
 271 with the requirements of s. 120.541.

272 9. A sworn affidavit, signed by the petitioner, attesting  
 273 that a majority of the acreage within the district will be used  
 274 for residential development.

275 Section 10. Section 190.047, Florida Statutes, is

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276 repealed.

277 Section 11. Subsection (3) is added to section 191.013,  
278 Florida Statutes, to read:

279 191.013 Intergovernmental coordination.—

280 (3) By October 1 of each year, each independent special  
281 fire control district shall report to the Division of State Fire  
282 Marshal whether each of the district's firefighters and  
283 volunteer firefighters have completed the required trainings and  
284 certifications established by the division pursuant to s.  
285 633.408.

286 Section 12. Section 388.211, Florida Statutes, is amended  
287 to read:

288 388.211 Change in district boundaries.—

289 ~~(1) The boundaries of each district may only be changed by~~  
290 ~~a special act of the Legislature The board of commissioners of~~  
291 ~~any district formed prior to July 1, 1980, may, for and on~~  
292 ~~behalf of the district or the qualified electors within or~~  
293 ~~without the district, request that the board of county~~  
294 ~~commissioners in each county having land within the district~~  
295 ~~approve a change in the boundaries of the district.~~

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

299 Section 13. Subsection (1) of section 388.221, Florida  
300 Statutes, is amended to read:

301 388.221 Tax levy.—

302 (1) The board of commissioners of such district may levy  
 303 upon all of the real and personal taxable property in said  
 304 district a special tax not exceeding 1 mill ~~10 mills~~ on the  
 305 dollar during each year as maintenance tax to be used solely for  
 306 the purposes authorized and prescribed by this chapter. Said  
 307 board shall by resolution certify to the property appraiser of  
 308 the county in which the property is situate, timely for the  
 309 preparation of the tax roll, the tax rate to be applied in  
 310 determining the amount of the district's annual maintenance tax.  
 311 Certified copies of such resolution executed in the name of said  
 312 board by its chair and secretary and under its corporate seal  
 313 shall be made and delivered to the property appraiser and the  
 314 board of county commissioners of the county in which such  
 315 district is located, and to the Department of Revenue not later  
 316 than September 30 of such year. The property appraiser of said  
 317 county shall assess and the tax collector of said county shall  
 318 collect the amount of taxes so assessed and levied by said board  
 319 of commissioners of said district upon all of the taxable real  
 320 and personal property in said district at the rate of taxation  
 321 adopted by said board for said year and included in said  
 322 resolution, and said levy shall be included in the warrants of  
 323 the property appraiser and attached to the assessment roll of  
 324 taxes for said county each year. The tax collector shall collect  
 325 such taxes so levied by said board in the same manner as other

326 taxes are collected and shall pay the same within the time and  
327 in the manner prescribed by law to the treasurer of said board.  
328 The Department of Revenue shall assess and levy on all the  
329 railroad lines and railroad property and telegraph and telephone  
330 lines and telegraph and telephone property situated in said  
331 district in the amount of each such levy as in case of other  
332 state and county taxes and shall collect said taxes thereon in  
333 the same manner as it is required by law to assess and collect  
334 taxes for state and county purposes and remit the same to the  
335 treasurer of said board. All such taxes shall be held by said  
336 treasurer for the credit of said board and paid out by him or  
337 her as ordered by said board.

338 Section 14. Subsection (1) of section 388.271, Florida  
339 Statutes, is amended and subsection (3) of that section is  
340 added, to read:

341 388.271 Prerequisites to participation.—

342 (1) When state funds are involved, it is the duty of the  
343 department to guide, review, approve, and coordinate the  
344 activities of all county governments and special districts  
345 receiving state funds in furtherance of the goal of integrated  
346 arthropod control. Each county ~~or district~~ eligible to  
347 participate ~~hereunder~~ may, and each district must, begin  
348 participation on October 1 of any year by filing with the  
349 department not later than July 15 a tentative work plan and  
350 tentative detailed work plan budget providing for the control of

351 arthropods. Following approval of the plan and budget by the  
 352 department, two copies of the county's or district's certified  
 353 budget based on the approved work plan and detailed work plan  
 354 budget shall be submitted to the department by September 30  
 355 following. State funds, supplies, and services shall be made  
 356 available to such county or district by and through the  
 357 department immediately upon release of funds by the Executive  
 358 Office of the Governor.

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

363 Section 15. Paragraph (c) of subsection (2) of section  
 364 388.46, Florida Statutes, is amended to read:

365 388.46 Florida Coordinating Council on Mosquito Control;  
 366 establishment; membership; organization; responsibilities.—

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

368 (c) Responsibilities.—The council shall:

369 1. Develop and implement guidelines to assist the  
 370 department in resolving disputes arising over the control of  
 371 arthropods on publicly owned lands.

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

374 3. Identify potential funding sources for research or  
 375 implementation projects and evaluate and prioritize proposals

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376 upon request by the funding source.

377 4. Prepare and present reports, as needed, on arthropod  
378 control activities in the state to other governmental  
379 organizations, as appropriate.

380 5. By August 30, 2024, develop model goals, objectives,  
381 and performance measures and standards to assist mosquito  
382 control districts in conducting performance monitoring pursuant  
383 to s. 189.0694.

384 Section 16. This act shall take effect July 1, 2024.