

1                                   A bill to be entitled  
2           An act relating to the Dorcas Fire District, Okaloosa  
3           County; amending chapter 2005-331, Laws of Florida;  
4           providing that the district is a dependent special  
5           district; removing provisions relating to the  
6           district's status as an independent special district;  
7           providing that the Okaloosa County Board of County  
8           Commissioners or its appointees shall serve as the  
9           governing board of the district; deleting provisions  
10          relating to the duties, election, terms, compensation,  
11          and meetings of the district board of commissioners;  
12          removing the requirement that a resolution or  
13          ordinance adopted by the board and approved by  
14          referendum only be repealed by referendum; authorizing  
15          the district to assess ad valorem taxes and non-ad  
16          valorem assessments, and to impose and foreclose non-  
17          ad valorem assessment liens, as authorized by law;  
18          removing the board's authority to enter into certain  
19          agreements with general purpose local governments;  
20          revising the rate of assessment of non-ad valorem  
21          assessments by the district; providing that expansion  
22          and merger of the district shall be ratified by the  
23          board; providing severability; providing an effective  
24          date.  
25

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

27

28 Section 1. Section 1, subsection (1) of section 2, and  
 29 sections 3 through 11 of section 2 of chapter 2005-331, Laws of  
 30 Florida, are amended to read:

31 Section 1. Creation; intent.—The Dorcas Fire District is  
 32 re-created as a dependent ~~an independent~~ fire control district  
 33 which shall operate pursuant to this special act and ~~the~~  
 34 ~~provisions of chapter 191, Florida Statutes, the Independent~~  
 35 ~~Special Fire Control District Act,~~ and all other general laws,  
 36 whether referenced herein or not, which are applicable to  
 37 dependent ~~independent~~ special districts.

38 Section 2. Creation; boundaries.—

39 (1) All of the following lands in Okaloosa County shall be  
 40 incorporated as a dependent ~~an independent~~ special fire control  
 41 district, ~~which shall be a public municipal corporation for the~~  
 42 ~~public benefit, with perpetual existence, to be known as the~~  
 43 ~~Dorcas Fire District in which name it may sue and be sued,~~  
 44 ~~lease, own, possess, and convey real and personal property, by~~  
 45 ~~purchase or gift or otherwise, to carry out the purposes of this~~  
 46 ~~act. The lands so incorporated shall include the following:~~

47

48 Commence at northwest corner of Section 7, Township 4  
 49 North, Range 22 West; thence east along Section line  
 50 to Okaloosa County line; thence south along Okaloosa

51 County line to southeast corner of Section 36,  
 52 Township 3 North, Range 22 West; thence west along  
 53 Section line to Shoal River; thence northeasterly  
 54 along Shoal River to west Section line of Section 6,  
 55 Township 3 North, Range 22 West; thence north along  
 56 Section line to point of beginning. Okaloosa County,  
 57 Florida.

58  
 59 ~~Section 3. Intent. The purposes of this act are to:~~

60 ~~(1) Comply with chapter 97-256, Laws of Florida, which~~  
 61 ~~calls for the codification of charters of all independent~~  
 62 ~~special fire control districts as defined in section 191.003,~~  
 63 ~~Florida Statutes, which were created by special law or general~~  
 64 ~~law of local application.~~

65 ~~(2) Provide standards, direction, and procedures~~  
 66 ~~concerning the operation and governance of the special fire~~  
 67 ~~control district known as the Dorcas Fire District.~~

68 ~~(3) Provide greater uniformity between the Dorcas Fire~~  
 69 ~~District and other independent special fire control districts.~~

70 ~~(4) Provide greater uniformity in the financing authority~~  
 71 ~~of the Dorcas Fire District without hampering the efficiency and~~  
 72 ~~effectiveness of current authorized and implemented methods and~~  
 73 ~~procedures of raising revenues.~~

74 ~~(5) Improve communication and coordination between the~~  
 75 ~~Dorcas Fire District and other local governments with respect to~~

76 ~~short-range and long-range planning to meet the demands for~~  
 77 ~~service delivery while maintaining fiscal responsibility.~~

78 ~~(6) Provide uniform procedures for electing members of the~~  
 79 ~~governing board of the Dorcas Fire District to ensure greater~~  
 80 ~~accountability to the public.~~

81 Section 3 4. Definitions.-

82 (1) "Board" means the governing board of the Dorcas Fire  
 83 District, which shall be comprised of the Okaloosa County Board  
 84 of County Commissioners or its appointees.

85 (2) "District" means the Dorcas Fire District, a dependent  
 86 ~~an independent~~ special fire control district ~~as defined in~~  
 87 ~~section 191.003, Florida Statutes.~~

88 (3) "Elector" means a person who is a resident of the  
 89 Dorcas Fire District and is qualified to vote in a general  
 90 election within Okaloosa County.

91 (4) "Emergency medical service" means basic and advanced  
 92 life support service as defined in section 401.23, Florida  
 93 Statutes.

94 (5) "Rescue response service" means an initial response to  
 95 an emergency or accident situation, including, but not limited  
 96 to, a plane crash, a trench or building collapse, a swimming or  
 97 boating accident, or a motor vehicle accident.

98 ~~Section 5. District board of commissioners; membership,~~  
 99 ~~terms of office, officers, meetings.-~~

100 ~~(1)(a) The business affairs of the district shall be~~

101 ~~conducted and administered by a five-member board. The board~~  
102 ~~shall be elected in nonpartisan elections by the electors of the~~  
103 ~~district. Except as provided in this act, such elections shall~~  
104 ~~be held at a time and in a manner prescribed by law for holding~~  
105 ~~general elections in accordance with section 189.405, Florida~~  
106 ~~Statutes, and each member shall be elected for a term of 4 years~~  
107 ~~and serve until the member's successor assumes office.~~  
108 ~~Candidates for the board of the district shall qualify with the~~  
109 ~~Okaloosa County Supervisor of Elections. All candidates may~~  
110 ~~qualify by paying a filing fee of at least \$25 or by obtaining~~  
111 ~~the signatures of at least 25 registered electors of the~~  
112 ~~district on petition forms provided by the supervisor of~~  
113 ~~elections which petitions shall be submitted and checked in the~~  
114 ~~same manner as petitions filed by nonpartisan judicial~~  
115 ~~candidates pursuant to section 105.035, Florida Statutes.~~  
116 ~~(b) The members of the board shall be elected by the~~  
117 ~~electors of the district in the manner provided in this section.~~  
118 ~~The office of each member of the board is designated as being a~~  
119 ~~seat on the board, distinguished from each of the other seats by~~  
120 ~~a numeral: 1, 2, 3, 4, or 5. The numerical seat designation does~~  
121 ~~not designate a geographical subdistrict. Each candidate for a~~  
122 ~~seat on the board shall designate, at the time the candidate~~  
123 ~~qualifies, the seat on the board for which the candidate is~~  
124 ~~qualifying. The name of each candidate who qualifies for~~  
125 ~~election to a seat on the board shall be included on the ballot~~

126 ~~in a way that clearly indicates the seat for which the candidate~~  
127 ~~is a candidate. The candidate for each seat who receives the~~  
128 ~~most votes cast for a candidate for the seat shall be elected to~~  
129 ~~the board.~~

130 ~~(2) Each member of the board must be a qualified elector~~  
131 ~~at the time he or she qualifies and continually throughout his~~  
132 ~~or her term.~~

133 ~~(3) Each elected member of the board shall assume office~~  
134 ~~10 days following the member's election. Annually, within 60~~  
135 ~~days after the newly elected members have taken office, the~~  
136 ~~board shall organize by electing from its members a chair, a~~  
137 ~~vice chair, a secretary, and a treasurer. The positions of~~  
138 ~~secretary and treasure may be held by one member. Funds of the~~  
139 ~~district may be disbursed only upon the order or pursuant to~~  
140 ~~resolution of the board. However, a petty cash account may be~~  
141 ~~authorized by the board. The board may give the treasurer~~  
142 ~~additional powers and duties that it deems appropriate.~~

143 ~~(4) Members of the board may each be paid a salary or~~  
144 ~~honorarium to be determined by at least a majority plus one vote~~  
145 ~~of the board, which salary or honorarium may not exceed \$500 per~~  
146 ~~month for each member. Special notice of any meeting at which~~  
147 ~~the board will consider a salary change for a board member shall~~  
148 ~~be published at least once, at least 14 days prior to the~~  
149 ~~meeting, in a newspaper of general circulation in Okaloosa~~  
150 ~~County. Separate compensation for the board member serving as~~

151 ~~treasurer may be authorized by like vote so long as total~~  
152 ~~compensation for the board member does not exceed \$500 per~~  
153 ~~month. Members may be reimbursed for travel and per diem~~  
154 ~~expenses as provided in section 112.061, Florida Statutes.~~

155 ~~(5) If a vacancy occurs on the board due to the~~  
156 ~~resignation, death, or removal of a board member or the failure~~  
157 ~~of anyone to qualify for a board seat, the remaining members may~~  
158 ~~appoint a qualified person to fill the seat until the next~~  
159 ~~general election, at which time an election shall be held to~~  
160 ~~fill the vacancy for the remaining term, if any. The board shall~~  
161 ~~remove any member who has three consecutive unexcused absences~~  
162 ~~from regularly scheduled meetings. The board shall adopt a~~  
163 ~~resolution defining excused and unexcused absences.~~

164 ~~(6) Each member shall, upon assuming office, take and~~  
165 ~~subscribe to the oath of office prescribed by s. 5(b), Art. II~~  
166 ~~of the State Constitution and section 876.05, Florida Statutes.~~  
167 ~~Each member, within 30 days after assuming office, must give the~~  
168 ~~Governor a good and sufficient surety bond in the sum of \$5,000,~~  
169 ~~the cost thereof being borne by the district, conditioned on the~~  
170 ~~member's faithful performance of his or her duties of office.~~

171 ~~(7) The board shall keep a permanent record book entitled~~  
172 ~~"Record of Proceedings of the Dorcas Fire District," in which~~  
173 ~~the minutes of all meetings, resolutions, proceedings,~~  
174 ~~certificates, bonds given by commissioners, and corporate acts~~  
175 ~~shall be recorded. The record book shall be open to inspection~~

176 ~~in the same manner as state, county, and municipal records are~~  
177 ~~open under chapter 119, Florida Statutes, and s. 24, Art. I of~~  
178 ~~the State Constitution. The record book shall be kept at the~~  
179 ~~office or other regular place of business maintained by the~~  
180 ~~board for the Dorcas Fire District.~~

181 ~~(8) All meetings of the board shall be open to the public,~~  
182 ~~consistent with chapter 286, Florida Statutes, section 189.417,~~  
183 ~~Florida Statutes, and other applicable general laws.~~

184 ~~(9) The officers of the board of commissioners shall have~~  
185 ~~the duties usually pertaining to like officers. A record shall~~  
186 ~~be kept of all meetings of the board in a manner consistent with~~  
187 ~~subsection (7), and in such meetings concurrence of a majority~~  
188 ~~of the commissioners shall be necessary to any affirmative~~  
189 ~~action by the board.~~

190 ~~(10) The books and records of the district shall be~~  
191 ~~audited at least annually, at the expense of the district, as~~  
192 ~~outlined in s. 11.45, Florida Statutes.~~

193 Section 4 ~~6~~. General powers.—The district shall have and  
194 the board may exercise by majority vote, the following powers:

195 (1) To sue and be sued in the name of the district, to  
196 adopt and use a seal and authorize the use of a facsimile  
197 thereof, and to make and execute contracts and other instruments  
198 necessary or convenient to the exercise of its powers.

199 (2) To provide for a pension or retirement plan for its  
200 employees. Notwithstanding the prohibition against extra



201 compensation as provided in section 215.425, Florida Statutes,  
 202 the board may provide for an extra compensation program,  
 203 including a lump-sum bonus payment program, to reward  
 204 outstanding employees whose performance exceeds standards, if  
 205 the program provides that a bonus payment may not be included in  
 206 an employee's regular base rate of pay and may not be carried  
 207 forward in subsequent years.

208 (3) To contract for the services of consultants to perform  
 209 planning, engineering, legal, or other professional services.

210 (4) To borrow money and accept gifts, to apply for and use  
 211 grants or loans of money or other property from the United  
 212 States, the state, a unit of local government, or any person for  
 213 any district purposes and enter into agreements required in  
 214 connection therewith, and to hold, use, sell, and dispose of  
 215 such moneys or property for any district purpose in accordance  
 216 with the terms of the gift, grant, loan, or agreement relating  
 217 thereto.

218 (5) To adopt resolutions and procedures prescribing the  
 219 powers, duties, and functions of the officers of the district,  
 220 the conduct of the business of the district, the maintenance of  
 221 records, and the form of other documents and records of the  
 222 district. The board may also adopt ordinances and resolutions  
 223 that are necessary to conduct district business, if such  
 224 ordinances do not conflict with any ordinances of a local  
 225 general-purpose government within whose jurisdiction the

226 | ~~district is located. Any resolution or ordinance adopted by the~~  
 227 | ~~board and approved by referendum vote of district electors may~~  
 228 | ~~only be repealed by referendum vote of district electors.~~

229 | (6) To maintain an office at places it designates within a  
 230 | county or municipality in which the district is located and  
 231 | appoint an agent of record.

232 | (7) To acquire, by purchase, lease, gift, dedication,  
 233 | devise, or otherwise, real and personal property or any estate  
 234 | therein for any purpose authorized by this act and to trade,  
 235 | sell, or otherwise dispose of surplus real or personal property.  
 236 | The board may purchase equipment by an installment sales  
 237 | contract if funds are available to pay the current year's  
 238 | installments on the equipment and to pay the amounts due that  
 239 | year on all other installments and indebtedness.

240 | (8) To hold, control, and acquire by donation or purchase  
 241 | any public easement, dedication to public use, platted  
 242 | reservation for public purposes, or reservation for those  
 243 | purposes authorized by this act and to use such easement,  
 244 | dedication, or reservation for any purpose authorized by this  
 245 | act consistent with applicable adopted local government  
 246 | comprehensive plans and land development regulations.

247 | (9) To lease as lessor or lessee to or from any person,  
 248 | firm, corporation, association, or body, public or private, any  
 249 | facility or property of any nature for the use of the district  
 250 | when necessary to carry out the district's duties and authority

251 | under this act.

252 |       (10) To borrow money and issue bonds, revenue anticipation  
253 | notes, or certificates payable from and secured by a pledge of  
254 | funds, revenues, taxes and assessments, warrants, notes, or  
255 | other evidence of indebtedness, and to mortgage real and  
256 | personal property when necessary to carry out the district's  
257 | duties and authority under this act.

258 |       (11) To charge user and impact fees authorized by  
259 | resolution of the board, in amounts necessary to conduct  
260 | district activities and services, and to enforce their receipt  
261 | and collection in the manner prescribed by resolution and  
262 | authorized by law. However, the imposition of impact fees may  
263 | only be authorized as provided by subsection (4) of section 6 &.

264 |       (12) To exercise the right and power of eminent domain,  
265 | pursuant to chapter 73 or chapter 74, Florida Statutes, over any  
266 | property within the district, except municipal, county, state,  
267 | special district, or federal property used for a public purpose,  
268 | for the uses and purposes of the district relating solely to the  
269 | establishment and maintenance of fire stations and fire  
270 | substations, specifically including the power to take easements  
271 | that serve such facilities consistent with applicable adopted  
272 | local government comprehensive plans and land development  
273 | regulations.

274 |       (13) To cooperate or contract with other persons or  
275 | entities, including other governmental agencies, as necessary,

276 convenient, incidental, or proper in connection with providing  
 277 effective mutual aid and furthering any power, duty, or purpose  
 278 authorized by this act.

279 (14) To assess and impose upon real property in the  
 280 district ad valorem taxes and non-ad valorem assessments as  
 281 authorized by law ~~this act~~.

282 (15) To impose and foreclose non-ad valorem assessment  
 283 liens as provided by law ~~this act~~ or to impose, collect, and  
 284 enforce non-ad valorem assessments pursuant to chapter 197,  
 285 Florida Statutes.

286 (16) To select as a depository for its funds any qualified  
 287 public depository as defined in section 280.02, Florida  
 288 Statutes, which meets all the requirements of chapter 280,  
 289 Florida Statutes, and has been designated by the State Treasurer  
 290 as a qualified public depository, upon such terms and conditions  
 291 as to the payment of interest upon the funds deposited as the  
 292 board deems just and reasonable.

293 (17) To provide adequate insurance on all real and  
 294 personal property, equipment, employees, volunteer firefighters,  
 295 and other personnel.

296 (18) To organize, participate in, and contribute  
 297 monetarily to organizations or associations relating to the  
 298 delivery of or improvement of fire control, fire prevention, and  
 299 emergency rescue services, or district administration.

300 (19) To promulgate and enforce reasonable fire regulations

301 by resolution.

302 Section 5 7. Special powers.—The Dorcas Fire District  
303 shall provide for fire suppression and prevention by  
304 establishing and maintaining fire stations and fire substations  
305 and acquiring and maintaining such firefighting and fire  
306 protection equipment deemed necessary to prevent or fight fires.  
307 All construction shall be in compliance with applicable state,  
308 regional, and local regulations, including adopted comprehensive  
309 plans and land development regulations. The board shall have and  
310 may exercise any or all of the following special powers relating  
311 to facilities and duties authorized by this act:

312 (1) Establish and maintain emergency medical and rescue  
313 response services and acquire and maintain rescue, medical, and  
314 other emergency equipment, pursuant to the provisions of chapter  
315 401, Florida Statutes, and any certificate of public convenience  
316 and necessity or its equivalent issued hereunder.

317 (2) Employ, train, and equip such personnel, and train,  
318 coordinate, and equip such volunteer firefighters, as are  
319 necessary to accomplish the duties of the district. The board  
320 may employ and fix the compensation of a fire chief or chief  
321 administrator. The board shall prescribe the duties of such  
322 person, which shall include supervision and management of the  
323 operations of the district and its employees and maintenance and  
324 operation of its facilities and equipment. The fire chief or  
325 chief administrator may employ or terminate the employment of

326 such other persons, including, without limitation, professional,  
 327 supervisory, administrative, maintenance, and clerical  
 328 employees, as are necessary and authorized by the board. The  
 329 compensation and other conditions of employment of the officers  
 330 and employees of the district shall be provided by the board.

331 (3) Conduct public education to promote awareness of  
 332 methods to prevent fires and reduce the loss of life and  
 333 property from fires or other public safety concerns.

334 (4) Adopt and enforce fire safety standards and codes and  
 335 enforce the rules of the State Fire Marshall consistent with the  
 336 exercise of the duties authorized by chapter 553 or chapter 633,  
 337 Florida Statutes, with respect to fire suppression and  
 338 prevention and fire safety code enforcement.

339 (5) Conduct arson investigations and cause and origin  
 340 investigations.

341 (6) Adopt hazardous material safety plans and emergency  
 342 response plans in coordination with the county emergency  
 343 management agency as provided in chapter 252, Florida Statutes.

344 (7) Contract with general-purpose local government for  
 345 emergency management planning and services.

346 Section 6 ~~8~~. Taxes, non-ad valorem assessments; impact  
 347 fees and user charges.—

348 (1) AD VALOREM TAXES.—The ~~elected~~ board of commissioners  
 349 may levy and assess ad valorem taxes on all taxable property in  
 350 the district to construct, operate, and maintain district

351 facilities and services, to pay the principal of, and interest  
352 on, general obligation bonds of the district, and to provide for  
353 any sinking or other funds established in connection with such  
354 bonds. An ad valorem tax levied by the board for operating  
355 purposes, exclusive of debt service on bonds, may not exceed  
356 3.75 mills. The levy of ad valorem taxes pursuant to this  
357 section must be approved by referendum called by the board.  
358 Nothing in this act shall require a referendum on the levy of ad  
359 valorem taxes in the amount as previously authorized by special  
360 act, general law of local application, or county ordinance  
361 approved by referendum. Such tax shall be assessed, levied, and  
362 collected in the same manner as county taxes. The levy of ad  
363 valorem taxes approved by referendum shall be reported within 60  
364 days after the vote to the Department of Community Affairs.

365 (2) NON-AD VALOREM ASSESSMENTS.—The ~~elected~~ board of  
366 commissioners may levy non-ad valorem assessments to provide  
367 funds for the purposes of the district. The rate of such  
368 assessments must be fixed by resolution of the board pursuant to  
369 the procedures contained in section 7 ~~9~~. Non-ad valorem  
370 assessment rates set by the board may exceed the maximum rates  
371 established by this or any prior special act, any county  
372 ordinance, the previous year's resolution, or a referendum in an  
373 amount not to exceed the average annual growth rate in Florida  
374 personal income over the previous 5 years. Non-ad valorem  
375 assessment rate increases within the personal income threshold

376 are deemed to be within the maximum rate authorized by law at  
 377 the time of initial imposition. Proposed non-ad valorem  
 378 assessment increases which exceed the rate set the previous  
 379 fiscal year or the rate previously set by special act or county  
 380 ordinance, whichever is more recent, by more than the average  
 381 annual growth rate in Florida personal income over the last 5  
 382 years must be approved by referendum of the electors of the  
 383 district. Non-ad valorem assessments shall be imposed,  
 384 collected, and enforced pursuant to section 7 9.

385 (3) USER CHARGES.—

386 (a) The board may provide a reasonable schedule of charges  
 387 for special emergency services, including fighting fires  
 388 occurring in or to structures outside the district, motor  
 389 vehicles, marine vessels, aircraft, or rail cars, or as a result  
 390 of the operation of such motor vehicles or marine vessels, to  
 391 which the district is called to render such emergency service,  
 392 and may charge a fee for the services rendered in accordance  
 393 with the schedule.

394 (b) The board may provide a reasonable schedule of charges  
 395 for fighting fires occurring in or at refuse dumps or as a  
 396 result of an illegal burn, which fire, dump, or burn is not  
 397 authorized by general or special law, rule, regulation, order,  
 398 or ordinance and which the district is called upon to fight or  
 399 extinguish.

400 (c) The board may provide a reasonable schedule of charges



401 for responding to, assisting with, or mitigating emergencies  
 402 that either threaten or could threaten the health and safety of  
 403 persons, property, or the environment, to which the district has  
 404 been called, including a charge for responding to false alarms.

405 (d) The board may provide a reasonable schedule of charges  
 406 for inspecting structures, plans, and equipment to determine  
 407 compliance with fire safety ~~firesafety~~ codes and standards.

408 (e) The district shall have a lien upon any real property,  
 409 motor vehicle, marine vessel, aircraft, or rail car for any  
 410 charge assessed under this subsection.

411 (4) IMPACT FEES.—If the general-purpose local government  
 412 has not adopted an impact fee for fire services which is  
 413 distributed to the district for construction within its  
 414 jurisdictional boundaries, the board may establish a schedule of  
 415 impact fees for new construction to pay for the cost of new  
 416 facilities and equipment, the need for which is in whole or in  
 417 part the result of new construction. The impact fees collected  
 418 by the district under this subsection shall be kept separate  
 419 from other revenues of the district and must be used exclusively  
 420 to acquire, purchase, or construct new facilities or portions  
 421 thereof needed to provide fire protection and emergency services  
 422 to new construction. As used in this subsection, "new  
 423 facilities" means land, buildings, and capital equipment,  
 424 including, but not limited to, fire and emergency vehicles,  
 425 radio telemetry equipment, and other firefighting or rescue

426 equipment. The board shall maintain adequate records to ensure  
427 that impact fees are expended only for permissible new  
428 facilities or equipment. ~~The board may enter into agreements~~  
429 ~~with general purpose local governments to share in the revenues~~  
430 ~~from fire protection impact fees imposed by such governments.~~

431 Section 7 ~~9~~. Procedures for the levy and collection of  
432 non-ad valorem assessments.—

433 (1) The district may provide for the levy of non-ad  
434 valorem assessments under this act on the lands and real estate  
435 benefited by the exercise of the powers authorized by this act,  
436 or any part thereof, for all or any part of the cost thereof. In  
437 addition to the provisions set forth under this act, the  
438 district shall also be entitled to exercise all other rights and  
439 powers regarding the levy and collection of additional non-ad  
440 valorem assessments as provided for under chapter 191, Florida  
441 Statutes.

442 (2) The rate of assessment shall be fixed by resolution of  
443 the board of commissioners on or before June 1 of each year as  
444 follows:

445 (a) Two ~~One~~ hundred fifteen ~~fifty~~ dollars and sixty-one  
446 cents annually shall be assessed against commercial buildings  
447 and commercial businesses. For the purpose of determining a  
448 commercial business, it is the specific intent of this act to  
449 tax individual businesses which are within a common building  
450 which are separated by walls, partitions, or custom. The

451 purchase of a county occupational license shall be evidence of  
452 the existence of a business. Apartment buildings, motels,  
453 condominiums, mobile home parks, and other multiple family  
454 residences shall not be considered commercial buildings.

455 (b) Each residential dwelling unit, including mobile homes  
456 situated on any parcel of land within said district, shall pay  
457 \$107.80 ~~\$75~~ annually.

458 (c) Each vacant land up to 9.75 acres shall be assessed  
459 \$6.44 annually. Vacant land greater than 9.75 acres shall be  
460 assessed \$61.46 plus \$0.10 per acre annually.

461 (d) ~~(e)~~ The non-ad valorem assessment amounts as  
462 established under paragraphs (a), ~~and~~ (b), and (c) shall be  
463 subject to annual increases, as may be approved by the board of  
464 commissioners as provided for under section 6(2) ~~8(2)~~.

465 (3) The board of commissioners may adopt by resolution the  
466 current tax assessment and collection roll compiled and prepared  
467 by the tax assessor of Okaloosa County, and may adopt a  
468 resolution fixing the levy on each lot or parcel of land subject  
469 to taxation in the district, or may, at its discretion, prepare  
470 or cause to be prepared an assessment and collection roll  
471 setting forth a description of each lot or parcel of land  
472 subject to taxation in the district together with the amount of  
473 assessment fixed by resolution, and shall, before June 1 of each  
474 year, deliver the roll to the tax assessor for collection. All  
475 assessments shall be made against the land subject to such

476 assessments and the roll shall set forth the names of the  
 477 respective owners of such lands.

478 (4) Any property owner in the district shall have the  
 479 right to file a protest in writing between June 10 and 20 of  
 480 each year against the proposed assessments and the amount or  
 481 rate thereof, and to appear before the board in support of such  
 482 protest at an opening meeting or meetings which shall be held to  
 483 hear and consider such protests and make adjustments to the  
 484 roll.

485 (5) Immediately after the adjustment period, the board of  
 486 commissioners shall adopt a resolution fixing the rate of  
 487 special assessment and shall note the amount of the levy against  
 488 each parcel of property described in the tax roll and shall  
 489 transmit the tax roll and a certified copy of the resolution to  
 490 the county tax assessor on or before July 1 each year. It shall  
 491 be the duty of the tax collector of Okaloosa County to include  
 492 in the county tax roll the assessments made by the board of  
 493 commissioners of the district and to collect such assessments  
 494 according to the assessment roll and deliver the proceeds of  
 495 such collection, less the statutory fee, monthly to the board of  
 496 commissioners, taking the board's receipts for such funds. The  
 497 tax collector shall, upon delivery of such funds to the board of  
 498 commissioners, furnish the board with a description of the lands  
 499 for which such payments are made.

500 (6) Such special assessments shall be a lien upon the land

501 so assessed along with county taxes until paid and, if the same  
 502 become delinquent, shall be considered a part of the county tax,  
 503 subject to the same penalties, charges, fees, and remedies for  
 504 enforcement and collection and shall be enforced and collected  
 505 as provided by law.

506 (7) Such special assessments shall be of equal benefit to  
 507 all property with fire protection being provided by the Dorcas  
 508 Fire District pursuant to the provisions of this act.

509 (8) The fiscal year for the district shall be from October  
 510 1 to September 30 of each year.

511 Section 8 ~~10~~. District issuance of bonds, notes, bond  
 512 anticipation notes, or other evidences of indebtedness.—

513 (1) The district may issue general obligation bonds,  
 514 assessment bonds, revenue bonds, notes, bond anticipation notes,  
 515 or other evidences of indebtedness to finance all or a part of  
 516 any proposed improvements authorized to be undertaken under this  
 517 act or under general or special law, provided the total annual  
 518 payments for the principal and interest on such indebtedness  
 519 shall not exceed 50 percent of the total annual budgeted  
 520 revenues of the district. The bonds shall be issued in such  
 521 denominations, mature on such dates and in such amounts, and may  
 522 be subject to optional and mandatory redemption as determined by  
 523 resolutions adopted by the board. Bonds of the district may bear  
 524 interest at a fixed, floating, or adjustable rate and may be  
 525 issued as interest bearing bonds, interest accruing bonds, or

526 zero coupon bonds at such rate or rates, not exceeding the  
527 maximum rate permitted by general law, as determined by  
528 resolution of the board. Principal and interest shall be payable  
529 in the manner determined by the board. The bonds shall be signed  
530 by manual or facsimile signature of the chair or vice chair of  
531 the board, attested with the seal of the district and by the  
532 manual or facsimile signature of the secretary or assistant  
533 secretary of the board.

534 (2) The bonds shall be payable from the non-ad valorem  
535 assessments or other non-ad valorem revenues, including, without  
536 limitation, user fees or charges or rental income authorized to  
537 be levied, collected, or received pursuant to this act or  
538 general law. General obligation bonds payable from ad valorem  
539 taxes may also be issued by the district, but only after  
540 compliance with s. 12, Art. VII of the State Constitution.  
541 Subject to referendum approval, a district may pledge its full  
542 faith and credit for the payment of principal and interest on  
543 such general obligation bonds and for any reserve funds provided  
544 therefor and may unconditionally and irrevocably pledge itself  
545 to levy ad valorem taxes on all property in the district to the  
546 extent necessary for the payment thereof. The district is  
547 authorized, after notice and opportunity to be heard has been  
548 afforded to those affected, to impose, charge, and collect non-  
549 ad valorem revenues in connection with any of the improvements  
550 authorized under this act and to pledge the same for the payment

551 | of bonds.

552 |       (3) In connection with the sale and issuance of bonds, the  
553 | district may enter into any contracts which the board determines  
554 | to be necessary or appropriate to achieve a desirable effective  
555 | interest rate in connection with the bonds by means of, but not  
556 | limited to, contracts commonly known as investment contracts,  
557 | funding agreements, interest rate swap agreements, currency swap  
558 | agreements, forward payment conversion agreements, futures, or  
559 | contracts providing for payments based on levels of or changes  
560 | in interest rates, or contracts to exchange cash flows or a  
561 | series of payments, or contracts, including, without limitation,  
562 | options, puts, or calls, to hedge payment, rate, spread, or  
563 | similar exposure. Such contracts or arrangements may also be  
564 | entered into by the district in connection with, or incidental  
565 | to, entering into any agreement which secures bonds or provides  
566 | liquidity therefor. Such contracts and arrangements shall be  
567 | made upon the terms and conditions established by the board,  
568 | after giving due consideration to the credit worthiness of the  
569 | counter parties, where applicable, including any rating by a  
570 | nationally recognized rating service or any other criteria as  
571 | may be appropriate.

572 |       (4) In connection with the sale and issuance of the bonds,  
573 | or the entering into of any of the contracts or arrangements  
574 | referred to in subsection (3), the district may enter into such  
575 | credit enhancement or liquidity agreements, with such payment,

576 interest rate, security, default, remedy, and any other terms  
 577 and conditions as the board shall determine.

578 (5) Notwithstanding any provision of law relating to the  
 579 investment or reinvestment of surplus funds of any governmental  
 580 unit, proceeds of the bonds and any money set aside or pledged  
 581 to secure payment of the principal, or premium, if any, and  
 582 interest on the bonds, or any of the contracts entered into  
 583 pursuant to subsection (3), may be invested in securities or  
 584 obligations described in the resolution providing for the  
 585 issuance of bonds.

586 (6) The bonds shall be sold in any manner not inconsistent  
 587 with general law, shall show the purpose for which they are  
 588 issued, and shall be payable out of the money pledged therefor.  
 589 The funds derived from the sale of said bonds or any contract or  
 590 arrangement shall be used for the purpose of paying the cost of  
 591 the services or improvements and such costs, expenses, fees, and  
 592 salaries as may be authorized by law.

593 (7) Non-ad valorem assessments or any portion thereof  
 594 levied to pay the principal on bonds issued pursuant to this act  
 595 with respect to improvements financed therewith shall not exceed  
 596 the benefits assessed regarding such works or improvements. If  
 597 the bonds are sold at a discount, the amount of the discount  
 598 shall be treated as interest, not as principal. Premiums payable  
 599 upon the redemption of bonds shall also be treated as interest.  
 600 Interest to accrue on account of issuing bonds shall not be



601 construed as a part of the costs of the works or improvements in  
602 determining whether or not the costs of making such improvements  
603 are equal to or in excess of the benefits assessed. If the  
604 property appraiser and tax collector deduct their fees and  
605 charges from the amount of non-ad valorem assessments levied and  
606 collected, and if the landowners receive the statutorily  
607 permitted discount for early payment of such non-ad valorem  
608 assessments, the amount of such fees, charges, and discount  
609 shall not be included in the amount of non-ad valorem  
610 assessments levied by the district in determining whether such  
611 assessments are equal to or in excess of the benefits assessed.

612 (8) The district may, whenever in the judgment of the  
613 board it is advisable and in the best interests of the  
614 landowners in the district, issue bonds to refund any or all of  
615 the then-outstanding bonded indebtedness of the district.

616 (9) The principal amount of refunding bonds may be in any  
617 amount not in excess of the benefits assessed against the lands  
618 with respect to which the refunded bonds were issued less the  
619 principal amount of the refunded bonds previously paid from non-  
620 ad valorem assessments. The proceeds of such refunding bonds  
621 shall be used only to pay the principal, premium, if any, and  
622 interest on the bonds to be refunded and any discount or expense  
623 of the sale of the refunding bonds and to provide a debt service  
624 reserve fund for the refunding bonds. The district may also use  
625 other available revenues to pay costs associated with the

626 issuance or administration of the refunding bonds.

627 (10) Assessments shall be levied for the payment of the  
628 refunding bonds in the same manner as the assessments levied for  
629 the refunded bonds and the refunding bonds shall be secured by  
630 the same lien as the refunded bonds, and any additional interest  
631 which accrues on account of the refunding bonds shall be  
632 included and added to the original assessment and shall be  
633 secured by the same lien, provided any interest accrued shall  
634 not be considered as a part of the cost of construction in  
635 determining whether the assessment exceeds the benefits  
636 assessed.

637 (11) No proceedings shall be required for the issuance of  
638 bonds or refunding bonds other than those provided by this  
639 section and by general law.

640 Section 9 ~~11~~. District expansion and merger.—

641 (1) The boundaries of the district may be modified,  
642 extended, or enlarged upon approval or ratification by the board  
643 ~~Legislature~~.

644 (2) The merger of the district with all or portions of  
645 other ~~independent or~~ dependent fire control districts is  
646 effective only upon ratification by the board ~~Legislature~~. The  
647 district may not, solely by reason of a merger with another  
648 governmental entity, increase ad valorem taxes on property  
649 within the original limits of the district beyond the maximum  
650 established by this act, unless approved by the electors of the

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651 district by referendum.

652 Section 2. If any clause, section, or provision of this  
653 act is declared unconstitutional or invalid for any reason, it  
654 shall be eliminated from this act, and the remaining portion of  
655 this act shall be in full force and effect and be as valid as if  
656 such unconstitutional or invalid portion thereof had not been  
657 incorporated in this act.

658 Section 3. This act shall take effect upon becoming a law.