

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

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BILL #: [CS/HB 275](#)

TITLE: Annexing State-owned Lands

SPONSOR(S): Albert

COMPANION BILL: [CS/CS/SB 384](#) (Burton)

LINKED BILLS: None

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 112 Y's 0 N's

GOVERNOR'S ACTION: Approved

SUMMARY

Effect of the Bill:

The bill requires a municipality seeking to annex state-owned lands to provide notification to the legislative delegation of the county in which the land is located when the first public hearing on the annexation ordinance is noticed.

Fiscal or Economic Impact:

None.

JUMP TO

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

ANALYSIS

EFFECT OF THE BILL:

CS/HB 275 passed as [CS/CS/SB 384](#). (Please note that bill section parentheticals do not contain hyperlinks to bill sections for Senate bills.)

The bill requires a municipality seeking to [annex](#) state-owned lands to notify each member of the [legislative delegation](#) of the county in which the land is located when the advertisement for the first public hearing on the annexation ordinance is noticed. The notice must be in writing or by email. (Section 1)

The bill reenacts sections of law to incorporate the changes to [s. 171.0413, F.S.](#), made by the bill. (Sections 2 and 3)

The bill was approved by the Governor on May 19, 2025, ch. 2025-31, L.O.F., and will become effective on July 1, 2025. (Section 4)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Municipal Annexation](#)

A municipality may propose to annex any area of contiguous, compact, unincorporated territory by ordinance or such land may be petitioned for annexation by owner(s) of "contiguous... and reasonably compact" real property.¹ An area is considered "contiguous" if a substantial part of its boundary is coterminous with a part of the boundary of the municipality.² An area is compact if it is concentrated in a single area and does not create enclaves, pockets, or finger areas.³ All annexed lands must be in the same county as the annexing municipality.⁴

¹ Ss. [171.0413\(1\)](#) and [171.044\(1\), F.S.](#)

² S. [171.031\(11\), F.S.](#) An area may be contiguous to a municipality even if it is separated by a county-owned public park, a right-of-way, a body of water, or other minor geographic division, as long as those areas do not prevent the annexing municipality and the area being annexed from being a "unified whole with respect to municipal services."

³ S. [171.031\(12\), F.S.](#)

⁴ S. [171.045, F.S.](#)

The governing body of a municipality may only propose annexation of an area that is contiguous, reasonably compact, and is either:

- Developed for “urban purposes,” which is defined as any area having a total resident population equal to at least two persons per acre, having a total resident population of at least one person per acre if the area is subdivided into lots and tracts where at least 60 percent of the total number of lots or tracts are 1 acre or less in size, or it is so developed that at least 60 percent of the total number of lots and tracts are used for urban purposes and it is subdivided into lots and tracts so that at least 60 percent of the total acreage (not counting the acreage used for non-residential “urban purposes”) is subdivided into lots and tracts of 5 acres or less;
- Lies between the municipal boundary and an area developed for “urban purposes;” or
- Adjacent, on at least 60 percent of its external boundary, to any combination of the municipal boundary and areas developed for “urban purposes.”⁵

A municipality may begin the annexation process by adopting a non-emergency ordinance.⁶ The municipality must hold two advertised public meetings before the adoption of the ordinance, one held on a weekday at least seven days after the publication of the first advertisement and one held on a weekday at least five days after the publication of the second advertisement. At least 10 days prior to the first public meeting, the governing body of the municipality must provide written notice to all residents and property owners in the area proposed for annexation.⁷ The notice must contain the annexation proposal, the time and location of the public meeting, and locations where the proposed ordinance may be inspected by the public.

Before adopting an annexation ordinance, the municipality must prepare a feasibility study that contains:

- Plans to provide urban services to the area to be annexed;
- A map or maps of the municipality and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed;
- A statement certifying the area meets the annexation criteria specified in [s. 171.043, F.S.](#); and
- A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation.⁸

The governing body of the municipality must file a copy of the feasibility study with the governing body of the county within 15 days of the commencement of annexation procedures.⁹ Failure to submit the report to the county in a timely manner may invalidate the annexation.

The municipality must submit the adopted annexation ordinance to a referendum in the area to be annexed.¹⁰ The municipality may also choose to submit the ordinance to the voters of the municipality for approval. If more than 70 percent of the acreage in the area to be annexed is not owned by registered voters, the municipality must obtain the consent of landowners owning at least 50 percent of the acreage in the area to be annexed before conducting the referendum.¹¹ The referendum may be conducted during the next regularly scheduled election or at a special election.¹² The referendum must not be held until at least 30 days after the adoption of the ordinance and must be advertised in a newspaper of general circulation in the area to be annexed.¹³ If the referendum is approved by the voters, the annexation occurs on the effective date provided by the ordinance.¹⁴ If the voters reject annexation, the municipality may not propose annexation of the same area in the two years following the referendum.

⁵ S. [171.043, F.S.](#)

⁶ S. [171.0413\(1\), F.S.](#) A non-emergency ordinance is adopted using standing procedures specified by [s. 166.041, F.S.](#)

⁷ S. [171.042\(3\), F.S.](#)

⁸ S. [171.042\(1\), F.S.](#)

⁹ S. [171.042\(2\), F.S.](#)

¹⁰ S. [171.0413\(2\), F.S.](#)

¹¹ S. [171.0413\(5\), F.S.](#)

¹² S. [171.0413\(2\)\(a\), F.S.](#)

¹³ S. [171.0413\(2\)\(a\)-\(b\), F.S.](#)

¹⁴ S. [171.0413\(2\)\(e\), F.S.](#)

If the area to be annexed has no registered electors, the area may be annexed without a referendum if the municipality obtains the consent of landowners representing both 50 percent of the acreage and 50 percent of the parcels in the area to be annexed.¹⁵

Legislative Delegations

A county legislative delegation consists of all members of the Senate and House of Representatives that represent the county.¹⁶ The county legislative delegation is responsible for initial consideration of proposed local bills and listening to appropriation requests from members of the community.¹⁷

Current law requires relevant county legislative delegations to be informed of certain activities and receive certain reports, including:

- A semi-annual report by the Biscayne Bay Commission;¹⁸
- A biennial audit report of the indigent care and trauma center surtax trust fund, for counties that levy that sales surtax;¹⁹ and
- Notification by the Division of State Lands within the Department of Environmental Protection if state-owned lands within the county are subject to annexation procedures.²⁰

¹⁵ S. [171.0413\(6\), F.S.](#)

¹⁶ See e.g., Palm Beach County, [Legislative Delegation](#) (last visited Mar. 13, 2025).

¹⁷ See *id.* See also Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 5 (last visited Mar. 13, 2025).

¹⁸ S. [163.11\(7\), F.S.](#)

¹⁹ S. [212.055\(4\)\(a\)4.d., F.S.](#)

²⁰ S. [253.034\(7\)\(b\), F.S.](#)