

1 A bill to be entitled
 2 An act relating to annexing state-owned lands;
 3 amending s. 171.0413, F.S.; requiring a municipality
 4 proposing to annex state-owned lands to notify the
 5 county legislative delegation at a certain time;
 6 reenacting ss. 101.6102(5) and 171.042, F.S., relating
 7 to mail ballot elections and limitations and
 8 prerequisites to annexation, respectively, to
 9 incorporate the amendment made to s. 171.0413, F.S.,
 10 in references thereto; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 **Section 1. Subsection (1) of section 171.0413, Florida**
 15 **Statutes, is amended to read:**

16 171.0413 Annexation procedures.—Any municipality may annex
 17 contiguous, compact, unincorporated territory in the following
 18 manner:

19 (1) An ordinance proposing to annex an area of contiguous,
 20 compact, unincorporated territory must ~~shall~~ be adopted by the
 21 governing body of the annexing municipality pursuant to the
 22 procedure for the adoption of a nonemergency ordinance
 23 established by s. 166.041.

24 (a) ~~Prior to~~ the adoption of the ordinance of
 25 annexation, the local governing body shall hold at least two

26 advertised public hearings. The first public hearing must ~~shall~~
27 be on a weekday at least 7 days after the day that the first
28 advertisement is published. The second public hearing must ~~shall~~
29 be held on a weekday at least 5 days after the day that the
30 second advertisement is published. Each such ordinance may ~~shall~~
31 propose only one reasonably compact area to be annexed.

32 (b) A municipality seeking to annex state-owned lands
33 must, in writing or by e-mail, notify the county legislative
34 delegation of the county in which the land is located when the
35 advertisement for the first public hearing is published.

36 (c) Before ~~However, prior to~~ the ordinance of annexation
37 becomes becoming effective, a referendum on annexation must
38 ~~shall~~ be held as set out below, and, if approved by the
39 referendum, the ordinance shall become effective 10 days after
40 the referendum or as otherwise provided in the ordinance, but
41 not more than 1 year following the date of the referendum.

42 **Section 2.** For the purpose of incorporating the amendment
43 made by this act to section 171.0413, Florida Statutes, in a
44 reference thereto, subsection (5) of section 101.6102, Florida
45 Statutes, is reenacted to read:

46 101.6102 Mail ballot elections; limitations.—

47 (5) Nothing in this section shall be construed to prohibit
48 the use of a mail ballot election in a municipal annexation
49 referendum requiring separate vote of the registered electors of
50 the annexing municipality and of the area proposed to be

51 annexed. If a mail ballot election is authorized for a municipal
52 annexation referendum, the provisions of ss. 101.6101-101.6107
53 shall control over any conflicting provisions of s. 171.0413.

54 **Section 3.** For the purpose of incorporating the amendment
55 made by this act to section 171.0413, Florida Statutes, in
56 references thereto, section 171.042, Florida Statutes, is
57 reenacted to read:

58 171.042 Prerequisites to annexation.—

59 (1) Before commencing the annexation procedures under s.
60 171.0413, the governing body of the municipality shall prepare a
61 feasibility study setting forth the plans to provide urban
62 services to any area to be annexed, and the feasibility study
63 must include the following:

64 (a) A map or maps of the municipality and adjacent
65 territory showing the present and proposed municipal boundaries,
66 the present major trunk water mains and sewer interceptors and
67 outfalls, the proposed extensions of such mains and outfalls, as
68 required in paragraph (c), and the general land use pattern in
69 the area to be annexed.

70 (b) A statement certifying that the area to be annexed
71 meets the criteria in s. 171.043.

72 (c) A statement setting forth the plans of the
73 municipality for extending to the area to be annexed each major
74 municipal service performed within the municipality at the time
75 of annexation. Specifically, such plans must:

76 1. Provide for extending urban services except as
77 otherwise provided in this subsection to the area to be annexed
78 on the date of annexation on substantially the same basis and in
79 the same manner as such services are provided within the rest of
80 the municipality before annexation.

81 2. Provide for the extension of existing municipal water
82 and sewer services into the area to be annexed so that, when
83 such services are provided, property owners in the area to be
84 annexed will be able to secure public water and sewer service
85 according to the policies in effect in such municipality for
86 extending water and sewer lines to individual lots or
87 subdivisions.

88 3. If extension of major trunk water mains and sewer mains
89 into the area to be annexed is necessary, set forth a proposed
90 timetable for construction of such mains as soon as possible
91 following the effective date of annexation.

92 4. Set forth the method under which the municipality plans
93 to finance extension of services into the area to be annexed.

94 (2) Not fewer than 15 days before commencing the
95 annexation procedures under s. 171.0413, the governing body of
96 the municipality shall file a copy of the feasibility study
97 required by this section with the board of county commissioners
98 of the county in which the municipality is located. Failure to
99 timely file the feasibility study as required in this subsection
100 may be the basis for a cause of action to invalidate the

101 annexation.

102 (3) The governing body of the municipality shall, not less
103 than 10 days prior to the date set for the first public hearing
104 required by s. 171.0413(1), mail a written notice to each person
105 who resides or owns property within the area proposed to be
106 annexed. The notice must describe the annexation proposal, the
107 time and place for each public hearing to be held regarding the
108 annexation, and the place or places within the municipality
109 where the proposed ordinance may be inspected by the public. A
110 copy of the notice must be kept available for public inspection
111 during the regular business hours of the office of the clerk of
112 the governing body.

113 **Section 4.** This act shall take effect July 1, 2025.