

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 each
 5 member of the legislative delegation of the county at
 6 a certain time; reenacting ss. 101.6102(5) and
 7 171.042, F.S., relating to mail ballot elections and
 8 limitations and prerequisites to annexation,
 9 respectively, to incorporate the amendment made to s.
 10 171.0413, F.S., in references thereto; providing an
 11 effective date.

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

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

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

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

25 (a) Before ~~Prior to~~ the adoption of the ordinance of

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

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

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

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

48 101.6102 Mail ballot elections; limitations.—

49 (5) Nothing in this section shall be construed to prohibit
 50 the use of a mail ballot election in a municipal annexation

51 referendum requiring separate vote of the registered electors of
52 the annexing municipality and of the area proposed to be
53 annexed. If a mail ballot election is authorized for a municipal
54 annexation referendum, the provisions of ss. 101.6101-101.6107
55 shall control over any conflicting provisions of s. 171.0413.

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

60 171.042 Prerequisites to annexation.—

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

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

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

74 (c) A statement setting forth the plans of the
75 municipality for extending to the area to be annexed each major

76 municipal service performed within the municipality at the time
77 of annexation. Specifically, such plans must:

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

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

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

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

96 (2) Not fewer than 15 days before commencing the
97 annexation procedures under s. 171.0413, the governing body of
98 the municipality shall file a copy of the feasibility study
99 required by this section with the board of county commissioners
100 of the county in which the municipality is located. Failure to

101 timely file the feasibility study as required in this subsection
102 may be the basis for a cause of action to invalidate the
103 annexation.

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

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