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LEGISLATIVE ACTION

Senate

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House

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Senator Brodeur moved the following:

**Senate Amendment (with title amendment)**

Delete lines 378 - 568  
and insert:

2.a. The districts may levy separate ad valorem taxes on  
property within the district or basin for the purposes of the  
construction of capital improvement projects. Such levy must be  
by resolution adopted by a majority vote of the governing board  
and conditioned to take effect only upon approval by a majority  
vote of the electors in the district or basin, as applicable,  
voting in a referendum held at a general election as defined in



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s. 97.021. The resolution must be conditioned to take effect on the January 1 immediately following voter approval of the referendum. The resolution must include the millage to be levied, a detailed description of the capital improvement projects to be funded by the millage, such projects' expected dates of completion, and the maximum duration for the levy of the millage, which may not extend beyond the date that the projects are expected to be completed. The millage levied under this subparagraph may be up to an amount that, when combined with millage levied under subparagraph 1., does not exceed the maximum total millage rate authorized under paragraph (b). The referendum question on the ballot must specify a brief and general description of the purpose of the levy and the maximum length of time the millage may be imposed.

b. For purposes of this subparagraph, the term "capital improvement projects" means projects related to water supply, including alternative water supply and water resource development projects identified in the district's regional water supply plans, water quality, flood protection and floodplain management, and natural systems.

~~(b)(a)~~ Notwithstanding any other general or special law, and subject to subsection (4), the maximum total millage rate for all district and basin purposes authorized under this section shall be:

1. Northwest Florida Water Management District: 0.05 mill.
2. Suwannee River Water Management District: 0.75 mill.
3. St. Johns River Water Management District: 0.6 mill.
4. Southwest Florida Water Management District: 1.0 mill.
5. South Florida Water Management District: 0.80 mill.



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41        (c) ~~(b)~~ The apportionment of millages levied pursuant to  
42        subparagraph (a)1. in the South Florida Water Management  
43        District shall be a maximum of 40 percent for district purposes  
44        and a maximum of 60 percent for basin purposes, respectively.

45        (d) ~~(c)~~ Within the Southwest Florida Water Management  
46        District, the maximum millage assessed for district purposes may  
47        not exceed 50 percent of the total authorized millage if there  
48        are one or more basins in the district, and the maximum millage  
49        assessed for basin purposes may not exceed 50 percent of the  
50        total authorized millage.

51        Section 9. Subsections (1) and (3) of section 373.535,  
52        Florida Statutes, are amended, and subsection (2) of that  
53        section is reenacted, to read:

54        373.535 Preliminary district budgets.—

55        (1) BUDGET DEVELOPMENT.—

56        (a) By January 15 of each year, each water management  
57        district shall submit a preliminary budget for the next fiscal  
58        year for legislative review to the President of the Senate, the  
59        Speaker of the House of Representatives, and the chairs of each  
60        legislative committee and subcommittee having substantive or  
61        fiscal jurisdiction over water management districts, as  
62        determined by the President of the Senate or the Speaker of the  
63        House of Representatives, as applicable, in the form and manner  
64        prescribed in s. 373.536(5)(e).

65        (b) Each preliminary budget must also include:

66        1. A section that clearly identifies and provides  
67        justification for each proposed expenditure listed in s.  
68        373.536(5)(e)4.e. and f. and identifies the source of funds for  
69        each proposed expenditure.



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2. A section identifying the justification for proposed expenditures by core mission area of responsibility and the source of funds needed for activities related to water supply, including alternative water supply and water resource development projects identified in the district's regional water supply plans, water quality, flood protection and floodplain management, and natural systems.

3. A section that includes the district's capital improvement plan for the current fiscal year and the next fiscal year, which will be incorporated as part of the district's 5-year capital improvement plan. The following information must be included for each project contained in the capital improvement plan:

- a. Estimated beginning and ending date.
- b. Current status, such as planning, construction, or operations.
- c. Funding source, grouped by federal, state, and local pursuant to s. 373.503(3)(a)1., local pursuant to s. 373.503(3)(a)2., or other.
- d. Total cost of the project.
- e. Whether the project is funded from reserves.
- f. Total expenditures made to date, by fiscal year.
- g. Current year estimated expenditures.
- h. Annual budget, including future budget requests, until project completion, by funding source.
- i. Project description.
- j. State program code, such as operations and maintenance or ecosystems restoration.

4.3- A section reviewing the adopted and proposed budget



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allocations by program area and the performance metrics for the prior year.

5.4~~5.4~~. An analysis of each preliminary budget to determine the adequacy of fiscal resources available to the district and the adequacy of proposed district expenditures related to the core mission areas of responsibility for water supply, including alternative water supply and water resource development projects identified in the district's regional water supply plans, water quality, flood protection and floodplain management, and natural systems. The analysis must be based on the particular needs within each district for core mission areas of responsibility. The water supply analysis must specifically include a determination of the adequacy of each district's fiscal resources provided in the district's preliminary budget to achieve appropriate progress toward meeting the districtwide 20-year projected water supply demands, including funding for alternative water supply development and conservation projects.

(c)~~(b)~~. If applicable, the preliminary budget for each district must specify that the district's first obligation for payment is the debt service on bonds and certificates of participation.

(d) In addition to the information that must be included for projects carried out pursuant to the capital improvement plan in subparagraph (b)3., the South Florida Water Management District must include a separate section in its preliminary budget for all projects within the Comprehensive Everglades Restoration Plan. The information for the separate section must be provided on a project-by-project basis and include the source of funds. For each project, all of the following information



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must be included:

1. The project title and a brief description.

2. The total estimated cost of the project, delineated by federal and nonfederal sponsor obligations. The local sponsor obligations must be further delineated by state and district obligations.

3. The timeline for the project.

4. The total expenditures to date and estimated remaining expenditures needed for project completion.

5. The estimate of expenditures for the current year.

6. The estimate of expenditures for the next fiscal year.

(e) For expenditures funded by state appropriations, the South Florida Water Management District must indicate which fiscal year the appropriation is from. In estimating expenditures for the next fiscal year, the district may incorporate state revenues only in an amount up to the amount of funds specifically provided in s. 375.041(3)(b)1., 4., and 5., unless the district commits district revenues on a dollar-for-dollar basis for any amount over such amount specifically provided.

(2) LEGISLATIVE REVIEW.—

(a) The Legislature may annually review the preliminary budget for each district, including, but not limited to, those items listed in s. 373.536(5)(e)4.d.-f., specific to regulation, outreach, management, and administration program areas.

(b) On or before March 1 of each year, the President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budget to the districts, and provide a copy of the comments to the Executive



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Office of the Governor. Each district shall respond to the comments in writing on or before March 15 of each year to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor.

(c) If, following such review, the Legislature does not take any action pursuant to s. 373.503 on or before July 1 of each year, a water management district may proceed with budget development as provided in subsection (3) and s. 373.536.

(3) FUNDING AUTHORITY GRANTED.—Each district shall use the preliminary budget as submitted pursuant to subsection (1), and as may be amended by the district in response to review by the Legislature pursuant to this section and s. 373.503, as the basis for developing the tentative budget for the next fiscal year as provided in s. 373.536(5). However, this subsection may not be construed to impair any contractual obligations.

Section 10. Paragraphs (c) and (e) of subsection (5) of section 373.536, Florida Statutes, are amended to read:

373.536 District budget and hearing thereon.—

(5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND APPROVAL.—

(c) The Legislative Budget Commission may reject any of the following district budget proposals unless specifically appropriated by the Legislature:

1. A single purchase of land in excess of \$10 million, except for land exchanges.

2. Any cumulative purchase of land during a single fiscal year in excess of \$50 million.

3. Any issuance of debt on or after July 1, 2012.

4. Any program expenditure ~~expenditures~~ as described in



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sub-subparagraphs (e)4.e. and f. in excess of 15 percent of a district's total annual budget.

5. Any individual variance ~~variances~~ in a district's tentative budget which is in excess of 25 percent from a district's preliminary budget.

6. Any individual portion of a district's tentative budget funded with state appropriations.

7. Any individual project in the district's 5-year capital improvement plan except for those projects fully funded with revenues approved by voters pursuant to s. 373.503(3)(a)2.a.

===== T I T L E   A M E N D M E N T =====  
And the title is amended as follows:

Delete lines 50 - 67  
and insert:

373.503, F.S.; authorizing the districts to levy certain ad valorem taxes on specified property for certain purposes; requiring a governing board levying ad valorem taxes for certain projects to adopt a resolution approved by a majority vote of the voting electors in the district or basin; providing requirements for such resolution; providing specifications for millage levied; requiring that the referendum question on the ballot specify the purpose of the levy and the maximum length of time the millage may be imposed; defining the term "capital improvement projects"; revising requirements for the maximum total millage rate;