

HB 4015

2026

1 A bill to be entitled
2 An act relating to the Melbourne-Tillman Water Control
3 District, Brevard County; amending chapter 2001-336,
4 Laws of Florida, as amended; removing obsolete
5 language; revising stormwater management user fees and
6 annual adjustments for residential, agricultural, and
7 commercial parcels of land; providing an effective
8 date.

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

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12 **Section 1. Subsection (12) of section 8 of section 3 of**
13 **chapter 2001-336, Laws of Florida, as amended, is amended to**
14 **read:**

15 Section 8. Powers given the Board to effect a surface
16 water management system within District boundaries.—In order to
17 responsibly, efficiently, and effectively secure, operate, and
18 maintain an adequate, dependable surface water management
19 system, the Board of Directors, consistent with and supportive
20 of the state water policy, the state water use plan, the state
21 land development plan, and the regional policy plan, shall:

22 (12) ~~(a)~~ Levy, assess, and collect an annual stormwater
23 management user fee to carry out the purposes of the District,
24 beginning with the 1990-1991 budget year.

25 (a) Such fee must be just and equitable and shall be based

26 upon the impact that a given parcel of land imposes on the
27 stormwater management system.

28 (b) A fee may not be finally set by the Board of Directors
29 or approved by the Board of County Commissioners of Brevard
30 County during its annual budget review until after a public
31 hearing is held by the Board of County Commissioners. The Board
32 of County Commissioners must hold a special public hearing
33 within the boundaries of the District. At the public hearing,
34 all owners of property in the District shall have an opportunity
35 to be heard concerning the proposed fee.

36 (c) Notice of such public hearing ~~for the 1990-1991 budget~~
37 ~~year must be given in the manner prescribed in subsection (2) of~~
38 ~~Section 16. Thereafter, notice~~ must be given by publication in a
39 newspaper of general circulation in Brevard County at least 7
40 days before the date of the hearing. The stormwater management
41 user fee, when established, shall be deemed to be reasonable and
42 necessary to carry out the obligations, responsibilities, and
43 duties of the District. All of the proceeds of the fee are in
44 payment for the use of the District stormwater management
45 system. The fee must be established by resolution of the Board
46 of Directors and approved by a majority vote of the Board of
47 County Commissioners of Brevard County, with each County
48 Commissioner whose county commission residency area lies wholly
49 or partially within the District voting in the affirmative.

50 (d) The stormwater management user fee structure shall

51 have three land classifications: Residential, Agricultural, and
52 Commercial. The Board of Directors, in establishing the annual
53 fee, must use the Brevard County Land Use Code Index as the
54 basis for land classification. The annual stormwater management
55 user fee shall be levied on the parcels, as the Brevard County
56 Land Use Code Index has them designated, for that respective
57 budget year.

58
59 For the 2025-2026 fiscal year, the Board of County Commissioners
60 of Brevard County approved for the district to collect
61 stormwater management fees per acre or portion thereof for
62 residential parcels at a rate of \$25, agricultural parcels at a
63 rate of \$8.50, and commercial parcels at a rate of \$52.50.

64
65 Beginning with the 2026-2027 fiscal year, the stormwater
66 management fee for residential parcels, agricultural parcels, or
67 commercial parcels shall be adjusted annually by the average of
68 the monthly consumer price index figures for the stated 12-month
69 period, relative to the South Region of the United States,
70 issued by the United States Department of Labor. For the 2026-
71 2027 fiscal year, the consumer price index adjustment affecting
72 the stormwater management fee shall be based on the fee approved
73 by the Brevard County Commission in the 2025-2026 fiscal year.
74 Notwithstanding the foregoing, the stormwater management fee may
75 not be more than 10 percent above the fee for the preceding year

76 not inclusive of the aforementioned annual consumer price index
77 adjustment.

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79 ~~For the 1990-1991 budget year, the residential fee may not~~
80 ~~exceed \$10 per acre or portion thereof, the agricultural fee may~~
81 ~~not exceed \$3.50 per acre or portion thereof, and the commercial~~
82 ~~fee may not exceed \$21 per acre or portion thereof.~~

83
84 ~~Thereafter, the stormwater management fee for residential~~
85 ~~parcels, agricultural parcels, or commercial parcels may not be~~
86 ~~more than 10 percent above the fee for the preceding year.~~
87 ~~However, the maximum fee per acre or portion thereof for~~
88 ~~residential parcels may not exceed \$25, the maximum fee per acre~~
89 ~~or portion thereof for agricultural parcels may not exceed~~
90 ~~\$8.50, and the maximum fee per acre or portion thereof for~~
91 ~~commercial parcels may exceed \$52.50.~~

92 **Section 2.** This act shall take effect upon becoming a law.