FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 4105 **TITLE:** Port St. Joe Port Authority, Franklin, Gadsden, Gulf, and Liberty Counties **SPONSOR(S):** Shoaf	**COMPANION BILL:** None **LINKED BILLS:** None **RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 106 **Y's** 2 **N's** **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:
The bill expands the boundaries of the Port St. Joe Port Authority (Authority), an independent special district, to include Franklin, Gadsden, Gulf, and Liberty Counties. The bill revises the membership of the Authority's governing board to include members from Franklin, Gadsden, and Liberty Counties.

Fiscal or Economic Impact:
The Economic Impact Statement for the bill projects a positive fiscal impact due to increased tax revenue associated with expected private investment.

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ANALYSIS

EFFECT OF THE BILL:

The bill expands the boundaries of the Port St. Joe Port Authority (Authority), an independent special district, to include Franklin, Gadsden, Gulf, and Liberty Counties. (Section 1)

The bill revises the membership of the Authority's governing board to include six members appointed by the Governor, with one member who is a resident of the City of Port St. Joe to serve as chair of the Authority, two members who are residents of Gulf County, and one resident member each from Franklin, Gadsden, and Liberty Counties. The bill also requires that each member be neither an officer nor an employee of Franklin, Gadsden, Gulf, or Liberty County or the City of Port St. Joe. (Section 1)

The bill provides that the terms of all members of the Authority's governing board end upon the bill becoming a law, with current members serving until a successor is appointed by the Governor. The bill also provides that one member who resides in Gulf County and one member who resides in Gadsden County, both appointed to the Authority after the effective date, will serve two-year terms to establish staggered terms. (Section 1)

The bill makes conforming changes in the Authority's charter to reflect the revised boundaries, including the application of local civil service laws, the Authority's ability to own and acquire property and facilities, enter into contracts to further the business, operation, and maintenance of shipping facilities and harbor and port improvements, the Authority's ability to receive appropriations from local governments within the boundaries of the Authority, and the Authority's inability to bind local governments for its debts or other liabilities. (Section 1)

The bill was approved by the Governor on June 30, 2026, ch. 2026-226, L.O.F., and became effective on that date. (Section 2)

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The Economic Impact Statement for the bill projects a positive fiscal impact due to increased tax revenue associated with expected private investment.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Special Districts

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.[1] Special districts are created by general law, special act, local ordinance, or rule of the Governor and Cabinet.[2] A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.[3] Special districts are funded through the imposition of ad valorem taxes, fees, or charges on the users of those services as authorized by law.[4]

Special districts may be classified as dependent or independent based on their relationship with local general-purpose governments. A special district is classified as "dependent" if the governing body of a single county or municipality:

- Serves as governing body of the district;
- Appoints the governing body of the district;
- May remove members of the district's governing body at-will during their unexpired terms; or
- Approves or can veto the budget of the district.[5]

A district is classified as "independent" if it does not meet any of the above criteria, or is located in more than one county unless the district lies entirely within the boundaries of a single municipality.[6]

Special districts are governed generally by the Uniform Special District Accountability Act (USDAA).[7] The USDAA centralizes provisions governing special districts and applies to the formation,[8] governance,[9] administration,[10] supervision,[11] merger,[12] and dissolution[13] of special districts, unless otherwise expressly provided in law.[14] The USDAA requires notice and publication of tentative budgets and final budgets.[15] Certain budget amendments are allowed up to 60 days following the end of the fiscal year.[16]

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[1] *See Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547-548 (Fla. 2019).

[2] *See* ss. 189.02(1), 189.031(3), and 190.005(1), F.S. *See generally* s. 189.012(6), F.S.

[3] Intergovernmental Affairs Subcommittee, *Local Government Formation Manual*, p. 56 (last visited Feb. 16, 2026).

[4] The method of financing a district must be stated in its charter. Ss. 189.02(4)(g) and 189.031(3)(k), F.S. Independent special districts may be authorized to impose ad valorem taxes as well as non-ad valorem special assessments in the special acts comprising their charters. *See, e.g.,* ch. 2023-335, s. 1(6), Laws of Fla. (East River Ranch Stewardship District) and ch. 2004-397, s. 3(27), Laws of Fla. (South Broward Hospital District). *See also, e.g.,* ss. 190.021 (community development districts), 191.009 (independent special fire control districts), 197.3631 (non-ad valorem assessments), 298.305 (water control districts), and 388.221, F.S. (mosquito control districts).

[5] S. 189.012(2), F.S.

[6] S. 189.012(3), F.S.

[7] S. 189.01, F.S., *but see* ch. 190, F.S. (community development districts), ch. 191, F.S. (independent special fire control districts), ch. 298, F.S. (water control districts), ch. 388, F.S. (mosquito control districts), and ch. 582, F.S. (soil and water conservation districts).

[8] *See* ss. 189.02 (creation of dependent special districts) and 189.031, F.S. (creation of independent special districts).

[9] *See* s. 189.0311, F.S. (charter requirements for independent special districts).

[10] *See* s. 189.019, F.S. (requiring codification of charters incorporating all special acts for the district).

[11] *See* s. 189.0651, F.S. (oversight for special districts created by special act of the Legislature).

[12] Ss. 189.071 (merger of dependent special districts) and 189.074, F.S. (merger of independent special districts).

[13] Ss. 189.071 (dissolution of dependent special districts) and 189.072, F.S. (dissolution of independent special districts).

[14] *See, e.g.,* s. 190.004, F.S. (ch. 190, F.S., as "sole authorization" for creation of community development districts).

[15] S. 189.016(4), F.S.

[16] S. 189.016(6), F.S.

Special districts do not possess "home rule" powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.[17]

Public Seaports in Florida

There are 16 public seaports in Florida that collectively generate nearly 900,000 direct and indirect jobs and contribute $117.6 billion in economic value to the state through cargo and cruise activities. Florida's public seaports account for approximately 13 percent of Florida's gross domestic product while contributing $4.2 billion in state and local taxes.[18]

Port St. Joe Port Authority

The Port St. Joe Port Authority (Authority) is an independent special district located in Gulf County. The Authority was created by special act in 1955,[19] as amended, and was subsequently recodified and recreated in 2000.[20] Since the expansion of the Panama Canal in 2014 and the inception of post-Panamax shipping, some non-competitive freight handling operations currently at larger ports are expected to shift to smaller ports.[21] There is a direct route north from the Panama Canal to the Port of Port St. Joe with a distance of 1,534 miles, shorter than the distances to Miami or Houston.[22]

For Fiscal Year 2021-22, the Authority had total assets of over $2.2 million and debt of $442,745.[23] The Authority does not levy property taxes but may levy non-ad valorem fees and assessments against benefited property.[24]

The Authority is governed by five commissioners appointed by the Governor.[25] Each member must be a property owner in the City of Port St. Joe or Gulf County. Members may not be an officer or employee of the City of Port St. Joe, Gulf County, or the state of Florida and no more than two members may be primarily engaged in the maritime business.

Powers of the Authority include the ability to:

- Own and acquire property or facilities by purchase, lease, easement, eminent domain, gift, or transfer from the City of Port St. Joe, Gulf County, the state and federal governments, including any agencies thereof, corporations, or individuals.
- Acquire, construct, maintain, and operate port facilities, including terminals, warehouses, docks, ship basins, shipyards, and railroads.
- Enter into contracts or leases with individuals, corporations, municipalities, state or federal government, or any other public body to operate facilities owned or leased by the Authority.
- Enter into contracts for furthering the business, operation, and maintenance of shipping facilities, harbor, and port improvements in Gulf County.[26]

Local Bill Forms

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval

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[17] *See, e.g.*, ch. 2006-354, Laws of Fla. (Argyle Fire District may impose special assessments, but has no ad valorem tax authority).
[18] Florida Ports Council, *The Florida System of Seaports* (last visited Feb. 16, 2026).
[19] Ch. 30787, Laws of Fla. (1955).
[20] Ch. 2000-488, Laws. of Fla.
[21] Port of Port St. Joe, *Port Access Routes* (last visited Feb. 16, 2026).
[22] *Id.*
[23] Fla. Dept. of Financial Services, *Port St. Joe Port Authority Financial Statements, Sept. 30, 2022*, p. 4 (last visited Feb. 16, 2026).
[24] *Id.*
[25] Ch. 2000-488, s. 2, Laws. of Fla.
[26] Ch. 2000-488, s. 4, Laws. of Fla.

by referendum vote of the electors in the area affected.[27] A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website[28] at least 30 days prior to the introduction of the local bill in the House or Senate.[29] The bill was noticed in the Gadsden County Times and the Port St. Joe Star on Jan. 15, 2026, the Calhoun-Liberty Journal News on Jan. 9 and 16, 2026, and the publicly accessible website of Franklin County on Jan. 8, 2026. .

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.[30] Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- Local Bill Certification Form
- Economic Impact Statement Form

27 Art. III, s. 10, Fla. Const.
28 S. 50.0311(2), F.S.
29 S. 11.02, F.S. If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.
30 Intergovernmental Affairs Subcommittee, *Local Bill Policies and Procedures Manual*, p. 11 (last visited Feb. 16, 2026).