

ENROLLED
CS/HB 1033

2012 Legislature

1
2 An act relating to the Lealman Special Fire Control
3 District, Pinellas County; amending chapter 2000-426,
4 Laws of Florida, as amended; lowering the millage rate
5 for the district; providing for future annexation;
6 providing an effective date.

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

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10 Section 1. Sections 8 and 11 of chapter 2000-426, Laws of
11 Florida, as amended by chapter 2007-288, Laws of Florida, are
12 amended to read:

13 Section 8. Taxes; non-ad valorem assessments; impact fees;
14 user charges; bond issuance.—

15 (1) The District shall also hold all powers, functions,
16 and duties set forth in this Act and chapters 189, 191, and 197,
17 Florida Statutes, as amended from time to time, including, but
18 not limited to, ad valorem taxation, bond issuance, other
19 revenue-raising capabilities, budget preparation and approval,
20 liens and foreclosure of liens, use of tax deeds and tax
21 certificates as appropriate for non-ad valorem assessments, and
22 contractual agreements; however, an ad valorem tax levied by the
23 Board for operating purposes, exclusive of debt service on
24 bonds, may not exceed 5.75 ~~40~~ mills if approved by a majority
25 vote of qualified electors of the district voting in a
26 referendum election providing for such millage rate. The
27 District may be financed by any method established in this Act,

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28 | chapter 189, or chapter 191, Florida Statutes, as amended from
29 | time to time.

30 | (2) The methods for assessing and collecting non-ad
31 | valorem assessments, fees, or service charges shall be as set
32 | forth in chapter 170, chapter 189, chapter 191, or chapter 197,
33 | Florida Statutes, as amended from time to time.

34 | Section 11. Annexation of territories by municipalities.—

35 | (1) For the purposes and requirements of this Act, after
36 | the annexation by a municipality of any unincorporated area
37 | within the Lealman Special Fire Control District, the annexed
38 | area shall be treated as lying within the corporate boundaries
39 | of the annexing municipality and shall not be subject to a levy
40 | of the ad valorem tax that is authorized by this Act.

41 | (2) Notwithstanding section 171.093, Florida Statutes, if
42 | a municipality annexes any unincorporated territory situated
43 | within the defined boundaries of the District from the effective
44 | date of this Act until July 1, 2016, the District shall continue
45 | as the primary provider of fire, rescue, and emergency medical
46 | services for the annexed territory. Any municipality that
47 | annexes such territory may levy any applicable taxes,
48 | assessments, or fees on the annexed territory but must, by May 1
49 | of each subsequent year after such annexation, pay the District
50 | for its services in an amount equal to the amount of taxes,
51 | assessments, or fees which would have been collected by the
52 | District from the annexed territory during that year had the
53 | territory not been annexed, using the millage rate in effect on
54 | the effective date of this act, or any lower rate that may be
55 | levied by the District. Such payments shall continue in

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56 perpetuity unless the District is relieved of all fire, rescue,
57 or emergency medical service responsibility in the annexed
58 territory, with the exception of an isolated response to a local
59 or areawide disaster, such as a hazardous material incident,
60 tornado, hurricane, or major fire. If litigation is required to
61 enforce the provisions of this Act, the prevailing party shall
62 be entitled to an award of attorney fees and costs. This
63 subsection shall not apply to annexations of unincorporated
64 territory situated within the defined boundaries of the District
65 after July 1, 2016.

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