

1                                   A bill to be entitled  
2           An act relating to community redevelopment agencies;  
3           amending s. 163.356, F.S.; providing reporting  
4           requirements; deleting provisions requiring certain  
5           annual reports; amending s. 163.367, F.S.; requiring  
6           ethics training for community redevelopment agency  
7           commissioners; amending s. 163.370, F.S.; establishing  
8           procurement procedures; creating s. 163.371, F.S.;  
9           providing annual reporting requirements; requiring a  
10          community redevelopment agency to publish annual  
11          reports and boundary maps on its website; creating s.  
12          163.3755, F.S.; prohibiting the creation of new  
13          community redevelopment agencies after a date certain;  
14          providing a phase-out period for existing community  
15          redevelopment agencies; providing a limited exception  
16          for community redevelopment agencies with certain  
17          outstanding bond obligations; creating s. 163.3756,  
18          F.S.; providing legislative findings; requiring the  
19          Department of Economic Opportunity to declare inactive  
20          community redevelopment agencies that have reported no  
21          financial activity for a specified number of years;  
22          providing hearing procedures; authorizing certain  
23          financial activity by a community redevelopment agency  
24          that is declared inactive; requiring the Department of  
25          Economic Opportunity to maintain a website identifying

26 | all inactive community redevelopment agencies;  
27 | amending s. 163.387, F.S.; revising requirements for  
28 | the use of the redevelopment trust fund proceeds;  
29 | limiting allowed expenditures; revising requirements  
30 | for the annual budget of a community redevelopment  
31 | agency; requiring municipal community redevelopment  
32 | agencies to provide annual budget to county  
33 | commission; revising requirements for the annual  
34 | audit; requiring the audit to be included with the  
35 | financial report of the county or municipality that  
36 | created the community redevelopment agency; amending  
37 | s. 218.32, F.S.; requiring county and municipal  
38 | governments to report community redevelopment agency  
39 | annual audit reports as part of the county or  
40 | municipal annual report; revising criteria for finding  
41 | that a county or municipality failed to file report;  
42 | requiring the Department of Financial Services to  
43 | provide a report to the Department of Economic  
44 | Opportunity concerning community redevelopment  
45 | agencies with no revenues, expenditures, or debts;  
46 | providing an effective date.

47 |  
48 | Be It Enacted by the Legislature of the State of Florida:

49 |  
50 | Section 1. Paragraphs (c) and (d) of subsection (3) of

51 section 163.356, Florida Statutes, are amended to read:

52 163.356 Creation of community redevelopment agency.—

53 (3)(c) The governing body of the county or municipality  
54 shall designate a chair and vice chair from among the  
55 commissioners. An agency may employ an executive director,  
56 technical experts, and such other agents and employees,  
57 permanent and temporary, as it requires, and determine their  
58 qualifications, duties, and compensation. For such legal service  
59 as it requires, an agency may employ or retain its own counsel  
60 and legal staff.

61 (d) An agency authorized to transact business and exercise  
62 powers under this part shall file with the governing body the  
63 report required pursuant to s. 163.371(1). ~~on or before March~~  
64 ~~31 of each year, a report of its activities for the preceding~~  
65 ~~fiscal year, which report shall include a complete financial~~  
66 ~~statement setting forth its assets, liabilities, income, and~~  
67 ~~operating expenses as of the end of such fiscal year. At the~~  
68 ~~time of filing the report, the agency shall publish in a~~  
69 ~~newspaper of general circulation in the community a notice to~~  
70 ~~the effect that such report has been filed with the county or~~  
71 ~~municipality and that the report is available for inspection~~  
72 ~~during business hours in the office of the clerk of the city or~~  
73 ~~county commission and in the office of the agency.~~

74 (e) ~~(d)~~ At any time after the creation of a community  
75 redevelopment agency, the governing body of the county or

76 | municipality may appropriate to the agency such amounts as the  
77 | governing body deems necessary for the administrative expenses  
78 | and overhead of the agency, including the development and  
79 | implementation of community policing innovations.

80 |       Section 2. Subsection (1) of section 163.367, Florida  
81 | Statutes, is amended to read:

82 |       163.367 Public officials, commissioners, and employees  
83 | subject to code of ethics.—

84 |       (1) (a) The officers, commissioners, and employees of a  
85 | community redevelopment agency created by, or designated  
86 | pursuant to, s. 163.356 or s. 163.357 are ~~shall be~~ subject to  
87 | the provisions and requirements of part III of chapter 112.

88 |       (b) Commissioners of a community redevelopment agency must  
89 | comply with the ethics training requirements in s. 112.3142.

90 |       Section 3. Subsection (5) is added to section 163.370,  
91 | Florida Statutes, to read:

92 |       163.370 Powers; counties and municipalities; community  
93 | redevelopment agencies.—

94 |       (5) A community redevelopment agency shall procure all  
95 | commodities and services under the same purchasing processes and  
96 | requirements that apply to the county or municipality that  
97 | created the agency.

98 |       Section 4. Section 163.371, Florida Statutes, is created  
99 | to read:

100 |       163.371 Reporting requirements.—

101        (1) Beginning March 31, 2018, and no later than March 31  
102 of each year thereafter, a community redevelopment agency shall  
103 file an annual report with the county or municipality that  
104 created the agency and publish the information on the agency's  
105 website. The report must include the following information:

106        (a) A complete audit report of the redevelopment trust  
107 fund pursuant to s. 163.387(8).

108        (b) The performance data for each plan authorized,  
109 administered, or overseen by the community redevelopment agency  
110 as of December 31 of the year being reported, including the:

111        1. Total number of projects started, completed, and the  
112 estimated project cost for each project.

113        2. Total expenditures from the redevelopment trust fund.

114        3. Number of jobs created within the community  
115 redevelopment agency's area of authority.

116        4. Sector of the economy to which the new jobs pertain.

117        5. Number of jobs retained in the area within the  
118 community redevelopment agency's authority.

119        6. Original assessed real property values within the  
120 community redevelopment agency's area of authority as of the day  
121 the agency was created.

122        7. Total assessed real property values of property within  
123 the boundaries of the community redevelopment agency as of  
124 January 1 of the year being reported.

125        8. Total amount expended for affordable housing for low

126 and middle income residents.

127 (2) By January 1, 2018, each community redevelopment  
128 agency shall publish on its website digital maps that depict the  
129 geographic boundaries and total acreage of the community  
130 redevelopment agency. If any change is made to the boundaries or  
131 total acreage, the agency shall post updated map files on its  
132 website within 60 days after the date such change takes effect.

133 Section 5. Section 163.3755, Florida Statutes, is created  
134 to read:

135 163.3755 Termination of community redevelopment agencies;  
136 prohibition on future creation.-

137 (1) A community redevelopment agency in existence on July  
138 1, 2017, shall terminate on the expiration date provided in the  
139 community redevelopment agency's charter on July 1, 2017, or on  
140 September 30, 2037, whichever is earlier.

141 (2) A community redevelopment agency may not initiate any  
142 new projects or issue any new debt on or after October 1, 2017.

143 (3) (a) Notwithstanding subsection (1), a community  
144 redevelopment agency with outstanding bonds as of July 1, 2017  
145 and that do not mature until after the earlier of the  
146 termination date of the agency or September 30, 2037, remains in  
147 existence until the date the bonds mature.

148 (b) A community redevelopment agency operating under this  
149 subsection on or after September 30, 2037, may not extend the  
150 maturity date of any outstanding bonds.

151 (c) The county or municipality that created the community  
152 redevelopment agency must issue a new finding of necessity  
153 limited to timely meeting the remaining bond obligations of the  
154 community redevelopment agency.

155 (4) A community redevelopment agency may not be created on  
156 or after July 1, 2017. A community redevelopment agency in  
157 existence before July 1, 2017, may continue to operate as  
158 provided in this part.

159 Section 6. Section 163.3756, Florida Statutes, is created  
160 to read:

161 163.3756 Inactive community redevelopment agencies.-

162 (1) The Legislature finds that a number of community  
163 redevelopment agencies continue to exist but report no revenues,  
164 no expenditures, and no outstanding debt in their annual report  
165 to the Department of Financial Services pursuant to s. 218.32.

166 (2) (a) Beginning October 1, 2014, a community  
167 redevelopment agency that has reported no revenues,  
168 expenditures, or debt under s. 218.32 or s. 189.016(9), for 3  
169 consecutive fiscal years shall be declared inactive by the  
170 Department of Economic Opportunity. The department shall notify  
171 the agency of the declaration of inactive status under this  
172 subsection. If the agency has no board members or no agent, the  
173 notice of inactive status must be delivered to the governing  
174 board or commission of the county or municipality that created  
175 the agency.

176        (b) The governing board of a community redevelopment  
177 agency declared inactive under this subsection may seek to  
178 invalidate the declaration by initiating proceedings under s.  
179 189.062(5) within 30 days after the date of the receipt of the  
180 notice from the department.

181        (3) A community redevelopment agency declared inactive  
182 under this section is authorized only to expend funds from the  
183 redevelopment trust fund as necessary to service outstanding  
184 bond debt. The agency may not expend other funds without an  
185 ordinance of the governing body of the local government that  
186 created the agency consenting to the expenditure of funds.

187        (4) The provisions of s. 189.062(2) and (4) do not apply  
188 to a community redevelopment agency that has been declared  
189 inactive under this section.

190        (5) The provisions of this section are cumulative to the  
191 provisions of s. 189.062. To the extent the provisions of this  
192 section conflict with the provisions of s. 189.062, this section  
193 prevails.

194        (6) The Department of Economic Opportunity shall maintain  
195 on its website a separate list of community redevelopment  
196 agencies declared inactive under this section.

197        Section 7. Subsections (6) and (8) of section 163.387,  
198 Florida Statutes, are amended to read:

199        163.387 Redevelopment trust fund.—

200        (6) Beginning July 1, 2017, moneys in the redevelopment

201 trust fund may be expended ~~from time to time~~ for undertakings of  
202 a community redevelopment agency as described in the community  
203 redevelopment plan only pursuant to an annual budget adopted by  
204 the board of commissioners of the community redevelopment agency  
205 and only for the following purposes stated in this subsection.~~7~~  
206 ~~including, but not limited to:~~

207 (a) Except as provided in this subsection, a community  
208 redevelopment agency shall comply with the requirements of s.  
209 189.016.

210 (b) A community redevelopment agency created by a  
211 municipality shall:

212 1. Adopt its proposed budget within 90 days before the  
213 beginning of its fiscal year.

214 2. Submit its proposed budget and projections for the next  
215 fiscal year to the board of county commissioners for the county  
216 in which the community redevelopment agency is located within 60  
217 days before the start of the agency's fiscal year.

218 3. Submit amendments to its operating budget to the board  
219 of county commissioners of the county in which the community  
220 redevelopment agency is located within 10 days after the date of  
221 adoption of the amended budget. ~~Administrative and overhead~~  
222 ~~expenses necessary or incidental to the implementation of a~~  
223 ~~community redevelopment plan adopted by the agency.~~

224 (c) The annual budget of a community redevelopment agency  
225 may provide for payment of the following expenses:

226        1. Administrative and overhead expenses directly or  
227 indirectly necessary to implement a community redevelopment plan  
228 adopted by the agency.

229        2.~~(b)~~ Expenses of redevelopment planning, surveys, and  
230 financial analysis, including the reimbursement of the governing  
231 body or the community redevelopment agency for such expenses  
232 incurred before the redevelopment plan was approved and adopted.

233        3.~~(e)~~ The acquisition of real property in the  
234 redevelopment area.

235        4.~~(d)~~ The clearance and preparation of any redevelopment  
236 area for redevelopment and relocation of site occupants within  
237 or outside the community redevelopment area as provided in s.  
238 163.370.

239        5.~~(e)~~ The repayment of principal and interest or any  
240 redemption premium for loans, advances, bonds, bond anticipation  
241 notes, and any other form of indebtedness.

242        6.~~(f)~~ All expenses incidental to or connected with the  
243 issuance, sale, redemption, retirement, or purchase of bonds,  
244 bond anticipation notes, or other form of indebtedness,  
245 including funding of any reserve, redemption, or other fund or  
246 account provided for in the ordinance or resolution authorizing  
247 such bonds, notes, or other form of indebtedness.

248        7.~~(g)~~ The development of affordable housing within the  
249 community redevelopment area.

250        8.~~(h)~~ The development of community policing innovations.

251           (8) (a) Each community redevelopment agency shall provide  
 252 for an audit of the trust fund each fiscal year and a report of  
 253 such audit to be prepared by an independent certified public  
 254 accountant or firm.

255           (b) The audit ~~Such~~ report shall:

256           1. Describe the amount and source of deposits into, and  
 257 the amount and purpose of withdrawals from, the trust fund  
 258 during such fiscal year and the amount of principal and interest  
 259 paid during such year on any indebtedness to which increment  
 260 revenues are pledged and the remaining amount of such  
 261 indebtedness.

262           2. Include a complete financial statement identifying the  
 263 assets, liabilities, income, and operating expenses of the  
 264 community redevelopment agency as of the end of such fiscal  
 265 year.

266           3. Include a finding by the auditor determining whether  
 267 the community redevelopment agency complies with the  
 268 requirements of subsection (7).

269           (c) The audit report for the community redevelopment  
 270 agency shall be included with the annual financial report  
 271 submitted by the county or municipality that created the agency  
 272 to the Department of Financial Services as provided in s.  
 273 218.32, regardless of whether the agency reports separately  
 274 under s. 218.32.

275           (d) The agency shall provide ~~by registered mail~~ a copy of

276 the audit report to each taxing authority.

277 Section 8. Subsection (3) of section 218.32, Florida  
278 Statutes, is amended to read:

279 218.32 Annual financial reports; local governmental  
280 entities.—

281 (3) (a) The department shall notify the President of the  
282 Senate and the Speaker of the House of Representatives of any  
283 municipality that has not reported any financial activity for  
284 the last 4 fiscal years. Such notice must be sufficient to  
285 initiate dissolution procedures as described in s.  
286 165.051(1) (a). Any special law authorizing the incorporation or  
287 creation of the municipality must be included within the  
288 notification.

289 (b) Failure of a county or municipality to include in its  
290 annual report to the department the full audit required by s.  
291 163.387(8) for each community redevelopment agency created by  
292 that county or municipality constitutes a failure to report  
293 under this section.

294 (c) By November 1 of each year, the department must  
295 provide the Special District Accountability Program of the  
296 Department of Economic Affairs with a list of each community  
297 redevelopment agency reporting no revenues, expenditures, or  
298 debt for the community redevelopment agency's previous fiscal  
299 year.

300 Section 9. This act shall take effect July 1, 2017.