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LEGISLATIVE ACTION

Senate

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House

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The Committee on Community Affairs (Lee) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 112.3142, Florida Statutes, is amended  
to read:

112.3142 Ethics training for specified constitutional  
officers, ~~and~~ elected municipal officers, and commissioners.—

(1) As used in this section, the term "constitutional  
officers" includes the Governor, the Lieutenant Governor, the



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11 Attorney General, the Chief Financial Officer, the Commissioner  
12 of Agriculture, state attorneys, public defenders, sheriffs, tax  
13 collectors, property appraisers, supervisors of elections,  
14 clerks of the circuit court, county commissioners, district  
15 school board members, and superintendents of schools.

16 (2) (a) All constitutional officers must complete 4 hours of  
17 ethics training each calendar year which addresses, at a  
18 minimum, s. 8, Art. II of the State Constitution, the Code of  
19 Ethics for Public Officers and Employees, and the public records  
20 and public meetings laws of this state. This requirement may be  
21 satisfied by completion of a continuing legal education class or  
22 other continuing professional education class, seminar, or  
23 presentation if the required subjects are covered.

24 (b) ~~Beginning January 1, 2015,~~ All elected municipal  
25 officers must complete 4 hours of ethics training each calendar  
26 year which addresses, at a minimum, s. 8, Art. II of the State  
27 Constitution, the Code of Ethics for Public Officers and  
28 Employees, and the public records and public meetings laws of  
29 this state. This requirement may be satisfied by completion of a  
30 continuing legal education class or other continuing  
31 professional education class, seminar, or presentation if the  
32 required subjects are covered.

33 (c) Beginning January 1, 2020, each commissioner of a  
34 community redevelopment agency created under part III of chapter  
35 163 must complete 4 hours of ethics training each calendar year  
36 which addresses, at a minimum, s. 8, Art. II of the State  
37 Constitution, the Code of Ethics for Public Officers and  
38 Employees, and the public records and public meetings laws of  
39 this state. This requirement may be satisfied by completion of a



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40 continuing legal education class or other continuing  
41 professional education class, seminar, or presentation, if the  
42 required subject material is covered by the class.

43 (d) The commission shall adopt rules establishing minimum  
44 course content for the portion of an ethics training class which  
45 addresses s. 8, Art. II of the State Constitution and the Code  
46 of Ethics for Public Officers and Employees.

47 (e)~~(d)~~ The Legislature intends that a constitutional  
48 officer or elected municipal officer who is required to complete  
49 ethics training pursuant to this section receive the required  
50 training as close as possible to the date that he or she assumes  
51 office. A constitutional officer or elected municipal officer  
52 assuming a new office or new term of office on or before March  
53 31 must complete the annual training on or before December 31 of  
54 the year in which the term of office began. A constitutional  
55 officer or elected municipal officer assuming a new office or  
56 new term of office after March 31 is not required to complete  
57 ethics training for the calendar year in which the term of  
58 office began.

59 (3) Each house of the Legislature shall provide for ethics  
60 training pursuant to its rules.

61 Section 2. Paragraphs (c) and (d) of subsection (3) of  
62 section 163.356, Florida Statutes, are amended to read:

63 163.356 Creation of community redevelopment agency.—

64 (3)

65 (c) The governing body of the county or municipality shall  
66 designate a chair and vice chair from among the commissioners.  
67 An agency may employ an executive director, technical experts,  
68 and such other agents and employees, permanent and temporary, as



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69 it requires, and determine their qualifications, duties, and  
70 compensation. For such legal service as it requires, an agency  
71 may employ or retain its own counsel and legal staff.

72 (d) An agency authorized to transact business and exercise  
73 powers under this part shall file with the governing body the  
74 report required pursuant to s. 163.371(1), ~~on or before March 31~~  
75 ~~of each year, a report of its activities for the preceding~~  
76 ~~fiscal year, which report shall include a complete financial~~  
77 ~~statement setting forth its assets, liabilities, income, and~~  
78 ~~operating expenses as of the end of such fiscal year. At the~~  
79 ~~time of filing the report, the agency shall publish in a~~  
80 ~~newspaper of general circulation in the community a notice to~~  
81 ~~the effect that such report has been filed with the county or~~  
82 ~~municipality and that the report is available for inspection~~  
83 ~~during business hours in the office of the clerk of the city or~~  
84 ~~county commission and in the office of the agency.~~

85 (e) ~~(d)~~ At any time after the creation of a community  
86 redevelopment agency, the governing body of the county or  
87 municipality may appropriate to the agency such amounts as the  
88 governing body deems necessary for the administrative expenses  
89 and overhead of the agency, including the development and  
90 implementation of community policing innovations.

91 Section 3. Subsection (1) of section 163.367, Florida  
92 Statutes, is amended to read:

93 163.367 Public officials, commissioners, and employees  
94 subject to code of ethics.—

95 (1) The officers, commissioners, and employees of a  
96 community redevelopment agency created by, or designated  
97 pursuant to, s. 163.356 or s. 163.357 are ~~shall be~~ subject to



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98 ~~the provisions and requirements of part III of chapter 112, and~~  
99 ~~commissioners also must comply with the ethics training~~  
100 ~~requirements as imposed in s. 112.3142.~~

101 Section 4. Section 163.371, Florida Statutes, is created to  
102 read:

103 163.371 Reporting requirements.-

104 (1) By January 1, 2020, each community redevelopment agency  
105 shall publish on its website digital maps that depict the  
106 geographic boundaries and total acreage of the community  
107 redevelopment agency. If any change is made to the boundaries or  
108 total acreage, the agency shall post updated map files on its  
109 website within 60 days after the date such change takes effect.

110 (2) Beginning March 31, 2020, and not later than March 31  
111 of each year thereafter, a community redevelopment agency shall  
112 file an annual report with the county or municipality that  
113 created the agency and publish the report on the agency's  
114 website. The report must include the following information:

115 (a) The most recent complete audit report of the  
116 redevelopment trust fund as required in s. 163.387(8). If the  
117 audit report for the previous year is not available by March 31,  
118 a community redevelopment agency shall publish the audit report  
119 on its website within 45 days after completion.

120 (b) The performance data for each plan authorized,  
121 administered, or overseen by the community redevelopment agency  
122 as of December 31 of the reporting year, including the:

123 1. Total number of projects started and completed and the  
124 estimated cost for each project.

125 2. Total expenditures from the redevelopment trust fund.

126 3. Original assessed real property values within the



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127 community redevelopment agency's area of authority as of the day  
128 the agency was created.

129 4. Total assessed real property values of property within  
130 the boundaries of the community redevelopment agency as of  
131 January 1 of the reporting year.

132 5. Total amount expended for affordable housing for low-  
133 income and middle-income residents.

134 (c) A summary indicating to what extent, if any, the  
135 community redevelopment agency has achieved the goals set out in  
136 its community redevelopment plan.

137 Section 5. Section 163.3755, Florida Statutes, is created  
138 to read:

139 163.3755 Termination of community redevelopment agencies.-

140 (1) A community redevelopment agency in existence on  
141 October 1, 2019, shall terminate on the expiration date provided  
142 in the agency's charter on October 1, 2019, or on September 30,  
143 2039, whichever is earlier, unless the governing body of the  
144 county or municipality that created the community redevelopment  
145 agency approves its continued existence by a majority vote of  
146 the members of the governing body.

147 (2) (a) If the governing body of the county or municipality  
148 that created the community redevelopment agency does not approve  
149 its continued existence by a majority vote of the governing body  
150 members, a community redevelopment agency with outstanding bonds  
151 as of October 1, 2019, that do not mature until after the  
152 termination date of the agency or September 30, 2039, whichever  
153 is earlier, remains in existence until the date the bonds  
154 mature.

155 (b) A community redevelopment agency operating under this



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156 subsection on or after September 30, 2039, may not extend the  
157 maturity date of any outstanding bonds.

158 (c) The county or municipality that created the community  
159 redevelopment agency must issue a new finding of necessity  
160 limited to timely meeting the remaining bond obligations of the  
161 community redevelopment agency.

162 Section 6. Section 163.3756, Florida Statutes, is created  
163 to read:

164 163.3756 Inactive community redevelopment agencies.—

165 (1) The Legislature finds that a number of community  
166 redevelopment agencies continue to exist, but do not report any  
167 revenues, expenditures, or debt in the annual reports they file  
168 with the Department of Financial Services pursuant to s. 218.32.

169 (2) (a) A community redevelopment agency that has reported  
170 no revenue, no expenditures, and no debt under s. 189.016(9) or  
171 s. 218.32 for 6 consecutive fiscal years beginning no earlier  
172 than October 1, 2016, must be declared inactive by the  
173 Department of Economic Opportunity, which shall notify the  
174 agency of the declaration. If the agency does not have board  
175 members or an agent, the notice of the declaration of inactive  
176 status must be delivered to the county or municipal governing  
177 board or commission that created the agency.

178 (b) The governing board of a community redevelopment agency  
179 that is declared inactive under this section may seek to  
180 invalidate the declaration by initiating proceedings under s.  
181 189.062(5) within 30 days after the date of the receipt of the  
182 notice from the Department of Economic Opportunity.

183 (3) A community redevelopment agency that is declared  
184 inactive under this section may expend funds from the



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185 redevelopment trust fund only as necessary to service  
186 outstanding bond debt. The agency may not expend other funds in  
187 the absence of an ordinance of the local governing body that  
188 created the agency which consents to the expenditure of such  
189 funds.

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

193 (5) The provisions of this section are cumulative to the  
194 provisions of s. 189.062. To the extent the provisions of this  
195 section conflict with the provisions of s. 189.062, this section  
196 prevails.

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

200 Section 7. Paragraph (a) of subsection (1), subsection (6),  
201 paragraph (d) of subsection (7), and subsection (8) of section  
202 163.387, Florida Statutes, are amended to read:

203 163.387 Redevelopment trust fund.—

204 (1)(a) After approval of a community redevelopment plan,  
205 there may be established for each community redevelopment agency  
206 created under s. 163.356 a redevelopment trust fund. Funds  
207 allocated to and deposited into this fund shall be used by the  
208 agency to finance or refinance any community redevelopment it  
209 undertakes pursuant to the approved community redevelopment  
210 plan. No community redevelopment agency may receive or spend any  
211 increment revenues pursuant to this section unless and until the  
212 governing body has, by ordinance, created the trust fund and  
213 provided for the funding of the redevelopment trust fund until





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214 the time certain set forth in the community redevelopment plan  
215 as required by s. 163.362(10). Such ordinance may be adopted  
216 only after the governing body has approved a community  
217 redevelopment plan. The annual funding of the redevelopment  
218 trust fund shall be in an amount not less than that increment in  
219 the income, proceeds, revenues, and funds of each taxing  
220 authority derived from or held in connection with the  
221 undertaking and carrying out of community redevelopment under  
222 this part. Such increment shall be determined annually and shall  
223 be that amount equal to 95 percent of the difference between:

224 1. The amount of ad valorem taxes levied each year by each  
225 taxing authority, exclusive of any amount from any debt service  
226 millage, on taxable real property contained within the  
227 geographic boundaries of a community redevelopment area; and

228 2. The amount of ad valorem taxes which would have been  
229 produced by the rate upon which the tax is levied each year by  
230 or for each taxing authority, exclusive of any debt service  
231 millage, upon the total of the assessed value of the taxable  
232 real property in the community redevelopment area as shown upon  
233 the most recent assessment roll used in connection with the  
234 taxation of such property by each taxing authority prior to the  
235 effective date of the ordinance providing for the funding of the  
236 trust fund.

237  
238 However, the governing body ~~of any county as defined in s.~~  
239 ~~125.011(1)~~ may, in the ordinance providing for the funding of a  
240 trust fund established with respect to any community  
241 redevelopment area ~~created on or after July 1, 1994,~~ determine  
242 that the amount to be funded by each taxing authority annually



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243 shall be less than 95 percent of the difference between  
244 subparagraphs 1. and 2., but in no event shall such amount be  
245 less than 50 percent of such difference.

246 (6) Effective October 1, 2019, moneys in the redevelopment  
247 trust fund may be expended ~~from time to time~~ for undertakings of  
248 a community redevelopment agency as described in the community  
249 redevelopment plan only pursuant to an annual budget adopted by  
250 the board of commissioners of the community redevelopment agency  
251 and only for the following purposes specified in paragraph (c).~~7~~  
252 ~~including, but not limited to:~~

253 (a) Except as otherwise provided in this subsection, a  
254 community redevelopment agency shall comply with the  
255 requirements of s. 189.016.

256 (b) A community redevelopment agency created by a  
257 municipality shall submit its annual budget to the board of  
258 county commissioners for the county in which the agency is  
259 located within 10 days after the adoption of such budget and  
260 submit amendments of its annual budget to the board of county  
261 commissioners within 10 days after the adoption date of the  
262 amended budget ~~Administrative and overhead expenses necessary or~~  
263 ~~incidental to the implementation of a community redevelopment~~  
264 ~~plan adopted by the agency.~~

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

267 1. Administrative and overhead expenses directly or  
268 indirectly necessary to implement a community redevelopment plan  
269 adopted by the agency.

270 2. ~~(b)~~ Expenses of redevelopment planning, surveys, and  
271 financial analysis, including the reimbursement of the governing



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272 body or the community redevelopment agency for such expenses  
273 incurred before the redevelopment plan was approved and adopted.

274 3.~~(e)~~ The acquisition of real property in the redevelopment  
275 area.

276 4.~~(d)~~ The clearance and preparation of any redevelopment  
277 area for redevelopment and relocation of site occupants within  
278 or outside the community redevelopment area as provided in s.  
279 163.370.

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

283 6.~~(f)~~ All expenses incidental to or connected with the  
284 issuance, sale, redemption, retirement, or purchase of bonds,  
285 bond anticipation notes, or other form of indebtedness,  
286 including funding of any reserve, redemption, or other fund or  
287 account provided for in the ordinance or resolution authorizing  
288 such bonds, notes, or other form of indebtedness.

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

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

292 9. Expenses that are necessary to exercise the powers  
293 granted under s. 163.370, as delegated under s. 163.358.

294 (7) On the last day of the fiscal year of the community  
295 redevelopment agency, any money which remains in the trust fund  
296 after the payment of expenses pursuant to subsection (6) for  
297 such year shall be:

298 (d) Appropriated to a specific redevelopment project  
299 pursuant to an approved community redevelopment plan. The funds  
300 appropriated for such project may not be changed unless the



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301 project is amended, redesigned, or delayed, in which case the  
302 funds must be reappropriated pursuant to the next annual budget  
303 adopted by the board of commissioners of the community  
304 redevelopment agency ~~which project will be completed within 3~~  
305 ~~years from the date of such appropriation.~~

306 (8) (a) Each community redevelopment agency with revenues or  
307 a total of expenditures and expenses in excess of \$100,000, as  
308 reported on the trust fund financial statements, shall provide  
309 for a financial an audit of the trust fund each fiscal year and  
310 a report of such audit to be prepared by an independent  
311 certified public accountant or firm. Each financial audit  
312 conducted pursuant to this subsection must be conducted in  
313 accordance with rules for audits of local governments adopted by  
314 the Auditor General.

315 (b) The audit ~~Such~~ report must: ~~shall~~

316 1. Describe the amount and source of deposits into, and the  
317 amount and purpose of withdrawals from, the trust fund during  
318 such fiscal year and the amount of principal and interest paid  
319 during such year on any indebtedness to which increment revenues  
320 are pledged and the remaining amount of such indebtedness.

321 2. Include financial statements identifying the assets,  
322 liabilities, income, and operating expenses of the community  
323 redevelopment agency as of the end of such fiscal year.

324 3. Include a finding by the auditor as to whether the  
325 community redevelopment agency is in compliance with subsections  
326 (6) and (7).

327 (c) The audit report for the community redevelopment agency  
328 must accompany the annual financial report submitted by the  
329 county or municipality that created the agency to the Department



330 of Financial Services as provided in s. 218.32, regardless of  
331 whether the agency reports separately under that section.

332 (d) The agency shall provide ~~by registered mail~~ a copy of  
333 the audit report to each taxing authority.

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

336 218.32 Annual financial reports; local governmental  
337 entities.—

338 (3) (a) The department shall notify the President of the  
339 Senate and the Speaker of the House of Representatives of any  
340 municipality that has not reported any financial activity for  
341 the last 4 fiscal years. Such notice must be sufficient to  
342 initiate dissolution procedures as described in s.  
343 165.051(1) (a). Any special law authorizing the incorporation or  
344 creation of the municipality must be included within the  
345 notification.

346 (b) Failure of a county or municipality required under s.  
347 163.387(8) to include with its annual financial report to the  
348 department a financial audit report for each community  
349 redevelopment agency created by that county or municipality  
350 constitutes a failure to report under this section.

351 (c) By November 1 of each year, the department must provide  
352 the Special District Accountability Program of the Department of  
353 Economic Opportunity with a list of each community redevelopment  
354 agency that does not report any revenues, expenditures, or debt  
355 for the community redevelopment agency's previous fiscal year.

356 Section 9. This act shall take effect October 1, 2019.

357 ===== T I T L E A M E N D M E N T =====

358 And the title is amended as follows:



359 Delete everything before the enacting clause  
360 and insert:

361 A bill to be entitled  
362 An act relating to community redevelopment agencies;  
363 amending s. 112.3142, F.S.; requiring ethics training  
364 for community redevelopment agency commissioners;  
365 specifying requirements for such training; amending s.  
366 163.356, F.S.; revising reporting requirements;  
367 deleting provisions requiring certain annual reports;  
368 amending s. 163.367, F.S.; requiring ethics training  
369 for community redevelopment agency commissioners;  
370 creating s. 163.371, F.S.; requiring a community  
371 redevelopment agency to publish certain digital  
372 boundary maps on its website; providing annual  
373 reporting requirements; requiring a community  
374 redevelopment agency to publish the annual reports on  
375 its website; creating s. 163.3755, F.S.; providing  
376 termination dates for certain community redevelopment  
377 agencies; creating s. 163.3756, F.S.; providing  
378 legislative findings; requiring the Department of  
379 Economic Opportunity to declare inactive community  
380 redevelopment agencies that have reported no financial  
381 activity for a specified number of years; providing  
382 hearing procedures; authorizing certain financial  
383 activity by a community redevelopment agency that is  
384 declared inactive; providing applicability; providing  
385 construction; requiring the department to maintain a  
386 list on its website identifying all inactive community  
387 redevelopment agencies; amending s. 163.387, F.S.;



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388 specifying the level of tax increment financing that a  
389 governing body may establish for funding the  
390 redevelopment trust fund; effective on a specified  
391 date, revising requirements for the use of  
392 redevelopment trust fund proceeds; limiting allowed  
393 expenditures; revising requirements for the annual  
394 budget of a community redevelopment agency; revising  
395 requirements for use of moneys in the redevelopment  
396 trust fund for specific redevelopment projects;  
397 revising requirements for the annual audit; requiring  
398 the audit to be included with the financial report of  
399 the county or municipality that created the community  
400 redevelopment agency; amending s. 218.32, F.S.;  
401 revising criteria for finding that a county or  
402 municipality failed to file a report; requiring the  
403 Department of Financial Services to provide a report  
404 to the Department of Economic Opportunity concerning  
405 community redevelopment agencies reporting no  
406 revenues, expenditures, or debts; providing an  
407 effective date.