

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Local, Federal & Veterans  
 2 Affairs Subcommittee

3 Representative Buchanan offered the following:

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**Amendment (with directory and title amendments)**

Between lines 95 and 96, insert:

(3) (a) The district may merge with other community  
 development districts upon filing a petition for merger, which  
 petition shall include the elements set forth in s. 190.005(1)  
 and which shall be evaluated using the criteria set forth in s.  
 190.005(1) (e). The filing fee shall be as set forth in s.  
 190.005(1) (b). In addition, the petition shall state whether a  
 new district is to be established or whether one district shall  
 be the surviving district. The district may merge with any other  
 special districts upon filing a petition for establishment of a  
 community development district pursuant to s. 190.005. The

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17 government formed by a merger involving a community development  
18 district pursuant to this section shall assume all indebtedness  
19 of, and receive title to, all property owned by the preexisting  
20 special districts, and the rights of creditors and liens upon  
21 property shall not be impaired by such merger. Any claim  
22 existing or action or proceeding pending by or against any  
23 district that is a party to the merger may be continued as if  
24 the merger had not occurred, or the surviving district may be  
25 substituted in the proceeding for the district that ceased to  
26 exist. Prior to filing the petition, the districts desiring to  
27 merge shall enter into a merger agreement and shall provide for  
28 the proper allocation of the indebtedness so assumed and the  
29 manner in which such debt shall be retired. The approval of the  
30 merger agreement and the petition by the board of supervisors of  
31 the district shall constitute consent of the landowners within  
32 the district.

33 (b) A community development district may also merge with a  
34 special district formed by a special act, pursuant to the terms  
35 of that special act. A community development district that  
36 merges with such a special district may enter into a merger  
37 agreement to address transition issues, including the allocation  
38 of indebtedness and retirement of debt. Approval of the merger  
39 agreement by the board of supervisors of the community  
40 development district constitutes consent of the landowners  
41 within the community development district.

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Published On: 3/4/2019 6:33:57 PM

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42        (c) The new government formed by a merger as set forth in  
43 paragraph (b) assumes indebtedness of, and receives title to,  
44 all property owned by the preexisting community development  
45 district, and the rights of creditors and liens upon property  
46 shall not be impaired by such merger. Any existing claim or  
47 action or proceeding pending by or against any community  
48 development district that is a party to the merger may be  
49 continued as if the merger had not occurred, or the surviving  
50 special district may be substituted in the proceeding for the  
51 community development district that ceased to exist.

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55                    **D I R E C T O R Y   A M E N D M E N T**

56        Remove lines 35-36 and insert:

57        Section 2. Paragraph (h) is added to subsection (1) of  
58 section 190.046, Florida Statutes, and subsection (3) of that  
59 section is amended, to read:

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62                    **T I T L E   A M E N D M E N T**

63        Remove line 12 and insert:

64 districts; authorizing a community development district to merge  
65 with a special district under certain conditions; specifying  
66 that approval of the merger agreement by the board of

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67 supervisors of the community development district constitutes  
68 consent of the landowners of the district; specifying the  
69 duties, responsibilities, and liabilities assumed by the new  
70 government as a result of the merger; providing an effective  
71 date.