

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Local Administration &
2 Veterans Affairs Subcommittee
3 Representative Williamson offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
7 Section 1. Paragraph (b) of subsection (1) of section 165.041,
8 Florida Statutes, is amended to read:

9 165.041 Incorporation; merger.-

10 (1)

11 (b) To inform the Legislature on the feasibility of a
12 proposed incorporation of a municipality, a feasibility study
13 shall be completed and submitted to the Legislature no later
14 than August 31 ~~the first Monday after September 1~~ of the year
15 before the regular session of the Legislature during which the

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16 municipal charter would be enacted. The feasibility study shall
17 contain the following:

18 1. The location of territory subject to boundary change,
19 ~~and~~ a map of the area which identifies the proposed change, and
20 documentation attesting to the accuracy of the description and
21 map. Acceptable forms of documentation include, but are not
22 limited to:

23 a. A property information report as defined in s.
24 627.7843(1).

25 b. A final drawing, plan, specification, plat, or report
26 prepared by a professional surveyor or mapper licensed and in
27 good standing under ch. 472 and sealed as required by s.
28 472.025.

29 c. A title opinion prepared by a member in good standing of
30 The Florida Bar.

31 2. The major reasons for proposing the boundary
32 change.

33 3. The following characteristics of the area:

34 a. A list of the current land use designations applied to
35 the subject area in the county comprehensive plan.

36 b. A list of the current county zoning designations
37 applied to the subject area.

38 c. A general statement of present land use characteristics
39 of the area.

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40 d. A description of development being proposed for the
41 territory, if any, and a statement of when actual development is
42 expected to begin, if known.

43 4. A list of all public agencies, such as local
44 governments, school districts, and special districts, whose
45 current boundary falls within the boundary of the territory
46 proposed for the change or reorganization.

47 5. A list of current services being provided within the
48 proposed incorporation area, including, but not limited to,
49 water, sewer, solid waste, transportation, public works, law
50 enforcement, fire and rescue, zoning, street lighting, parks and
51 recreation, and library and cultural facilities, and the
52 estimated costs for each current service.

53 6. A list of proposed services to be provided within the
54 proposed incorporation area, and the estimated cost of such
55 proposed services.

56 7. The names and addresses of three officers or persons
57 submitting the proposal.

58 8. Evidence of fiscal capacity and an organizational plan
59 as it relates to the area seeking incorporation that, at a
60 minimum, includes:

61 a. Existing tax bases, including ad valorem taxable value,
62 utility taxes, sales and use taxes, franchise taxes, license and
63 permit fees, charges for services, fines and forfeitures, and
64 other revenue sources, as appropriate.

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65 b. A 5-year operational plan that, at a minimum, includes
66 proposed staffing, building acquisition and construction, debt
67 issuance, and budgets.

68 9. Data and analysis to support the conclusions that
69 incorporation is necessary and financially feasible, including
70 population projections and population density calculations, and
71 an explanation concerning methodologies used for such analysis.

72 10. Evaluation of the alternatives available to the area
73 to address its policy concerns.

74 11. Evidence that the proposed municipality meets the
75 requirements for incorporation pursuant to s. 165.061.

76 12. Evidence documenting the passage of a nonbinding
77 referendum, conducted at a primary or general election,
78 supporting the incorporation of a new municipality approved by
79 60 percent or more of the qualified electors within the area of
80 the proposed municipality.

81
82 -----

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

84 Remove everything before the enacting clause and insert:
85 An act relating to incorporation of municipalities; amending s.
86 165.041, F.S.; revising the date the feasibility study for a
87 proposed incorporation of a municipality must be submitted to
88 the Legislature; revising required elements of the feasibility
89 study to include documentation concerning the location of the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1035 (2022)

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90 | proposed municipality and proof of the passage of a nonbinding
91 | referendum by voters of the proposed municipality; providing an
92 | effective date.