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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/31/2024	.	
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The Committee on Community Affairs (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 163.3756, Florida Statutes, is repealed.

Section 2. Section 163.504, Florida Statutes, is amended to
read:

163.504 Safe neighborhood improvement districts; formation
authorized by ordinance; jurisdictional boundaries; prohibition
on future creation.—



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11 (1) The governing body of any municipality or county may
12 authorize the formation of safe neighborhood improvement
13 districts through the adoption of a planning ordinance which
14 specifies that such districts may be created by one or more of
15 the methods established in ss. 163.506, 163.508, 163.511, and
16 163.512. No district may overlap the jurisdictional boundaries
17 of a municipality and the unincorporated area of a county,
18 except by interlocal agreement.

19 (2) A safe neighborhood improvement district may not be
20 created on or after July 1, 2024. A safe neighborhood
21 improvement district in existence before July 1, 2024, may
22 continue to operate as provided in this part.

23 Section 3. Section 165.0615, Florida Statutes, is repealed.

24 Section 4. Section 189.0312, Florida Statutes, is created
25 to read:

26 189.0312 Independent special districts; term of office.—

27 (1) A member of an elected governing body of an independent
28 special district may not serve for more than 12 consecutive
29 years, unless the district's charter provides for more
30 restrictive terms of office. Service of a term of office that
31 commenced before November 5, 2024, does not count toward the
32 limitation imposed by this subsection.

33 (2) This section does not apply to a community development
34 district established under chapter 190, or an independent
35 special district created pursuant to a special act that provides
36 that any amendment to chapter 190 to grant additional powers
37 constitutes a power of the district.

38 (3) This section does not require an independent special
39 district governed by an appointed governing body to convert to



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40 an elected governing body.

41 Section 5. Section 189.0313, Florida Statutes, is created
42 to read:

43 189.0313 Independent special districts; boundaries;
44 exception.—Notwithstanding any special law or general law of
45 local application to the contrary, the boundaries of an
46 independent special district shall only be changed by general
47 law or special act. This section does not apply to a community
48 development district established pursuant to chapter 190.

49 Section 6. Subsections (1) and (2) of section 189.062,
50 Florida Statutes, are amended to read:

51 189.062 Special procedures for inactive districts.—

52 (1) The department shall declare inactive any special
53 district in this state by documenting that:

54 (a) The special district meets one of the following
55 criteria:

56 1. The registered agent of the district, the chair of the
57 governing body of the district, or the governing body of the
58 appropriate local general-purpose government notifies the
59 department in writing that the district has taken no action for
60 2 or more years;

61 2. The registered agent of the district, the chair of the
62 governing body of the district, or the governing body of the
63 appropriate local general-purpose government notifies the
64 department in writing that the district has not had a governing
65 body or a sufficient number of governing body members to
66 constitute a quorum for 2 or more years;

67 3. The registered agent of the district, the chair of the
68 governing body of the district, or the governing body of the



69 appropriate local general-purpose government fails to respond to
70 an inquiry by the department within 21 days;

71 4. The department determines, pursuant to s. 189.067, that
72 the district has failed to file any of the reports listed in s.
73 189.066;

74 5. The district has not had a registered office and agent
75 on file with the department for 1 or more years; ~~or~~

76 6. The governing body of a special district provides
77 documentation to the department that it has unanimously adopted
78 a resolution declaring the special district inactive. The
79 special district is responsible for payment of any expenses
80 associated with its dissolution; ~~-~~

81 7. The district is an independent special district or a
82 community redevelopment district created under part III of
83 chapter 163 which has reported no revenue, no expenditures, and
84 no debt under s. 189.016(9) or s. 218.32 for at least 5
85 consecutive fiscal years beginning no earlier than October 1,
86 2018. This subparagraph does not apply to a community
87 development district established under chapter 190 or to any
88 independent special district operating pursuant to a special act
89 that provides that any amendment to chapter 190 to grant
90 additional powers constitutes a power of that district; or

91 8. For a mosquito control district created pursuant to
92 chapter 388, the department has received notice from the
93 Department of Agriculture and Consumer Services that the
94 district has failed to file a tentative work plan and tentative
95 detailed work plan budget as required by s. 388.271.

96 (b) The department, special district, or local general-
97 purpose government has published a notice of proposed



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98 declaration of inactive status in a newspaper of general
99 circulation in the county or municipality in which the territory
100 of the special district is located and has sent a copy of such
101 notice by certified mail to the registered agent or chair of the
102 governing body, if any. If the special district is a dependent
103 special district with a governing body that is not identical to
104 the governing body of a single county or a single municipality,
105 a copy of such notice must also be sent by certified mail to the
106 governing body of the county or municipality on which the
107 district is dependent. Such notice must include the name of the
108 special district, the law under which it was organized and
109 operating, a general description of the territory included in
110 the special district, and a statement that any objections must
111 be filed pursuant to chapter 120 within 30 ~~21~~ days after the
112 publication date. The objections may include that the special
113 district has outstanding debt obligations that are not included
114 in reports required under s. 189.016(9) or s. 218.32.

115 (c) Thirty ~~Twenty-one~~ days have elapsed from the
116 publication date of the notice of proposed declaration of
117 inactive status and no administrative appeals were filed.

118 (2) If any special district is declared inactive pursuant
119 to this section, the district may only expend funds as necessary
120 to service outstanding debt and to comply with existing bond
121 covenants and other contractual obligations. The property or
122 assets of the special district are subject to legal process for
123 payment of any debts of the district. After the payment of all
124 the debts of said inactive special district, the remainder of
125 its property or assets shall escheat to the county or
126 municipality wherein located. If, however, it shall be



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127 necessary, in order to pay any such debt, to levy any tax or
128 taxes on the property in the territory or limits of the inactive
129 special district, the same may be assessed and levied by order
130 of the local general-purpose government wherein the same is
131 situated and shall be assessed by the county property appraiser
132 and collected by the county tax collector.

133 Section 7. Section 189.0694, Florida Statutes, is created
134 to read:

135 189.0694 Special districts; performance measures and
136 standards.-

137 (1) Beginning October 1, 2024, or by the end of the first
138 full fiscal year after its creation, whichever is later, each
139 special district shall establish goals and objectives for each
140 program and activity undertaken by the district, as well as
141 performance measures and standards to determine whether the
142 district's goals and objectives are being achieved.

143 (2) By December 1 of each year thereafter, each special
144 district shall publish an annual report on the district's
145 website describing:

146 (a) The goals and objectives achieved by the district, as
147 well as the performance measures and standards used by the
148 district to make this determination.

149 (b) Any goals or objectives the district failed to achieve.

150 Section 8. Subsection (3) of section 189.0695, Florida
151 Statutes, is amended to read:

152 189.0695 Independent special districts; performance
153 reviews.-

154 (3) The Office of Program Policy Analysis and Government
155 Accountability shall ~~must~~ conduct a performance review of all



156 independent special districts within the classifications
157 described in paragraphs (a), ~~and~~ (b), and (c) and may contract
158 as needed to complete the requirements of this subsection. The
159 Office of Program Policy Analysis and Government Accountability
160 shall submit the final report of the performance review to the
161 President of the Senate and the Speaker of the House of
162 Representatives as follows:

163 (a) For all independent mosquito control districts as
164 defined in s. 388.011, no later than September 30, 2023.

165 (b) For all soil and water conservation districts as
166 defined in s. 582.01, no later than September 30, 2024.

167 (c) For all safe neighborhood improvement districts as
168 defined in s. 163.503(1), no later than September 30, 2025.

169 Section 9. Section 190.047, Florida Statutes, is repealed.

170 Section 10. Subsection (3) is added to section 191.013,
171 Florida Statutes, to read:

172 191.013 Intergovernmental coordination.—

173 (3) By October 1 of each year, each independent special
174 fire control district shall report to the Division of State Fire
175 Marshal regarding whether each of the district's firefighters
176 and volunteer firefighters have completed the required trainings
177 and received the required certifications established by the
178 division pursuant to s. 633.408.

179 Section 11. Section 388.211, Florida Statutes, is amended
180 to read:

181 388.211 Change in district boundaries.—

182 ~~(1) The boundaries of each district may only be changed by~~
183 ~~a special act of the Legislature~~ ~~The board of commissioners of~~
184 ~~any district formed prior to July 1, 1980, may, for and on~~



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185 ~~behalf of the district or the qualified electors within or~~
186 ~~without the district, request that the board of county~~
187 ~~commissioners in each county having land within the district~~
188 ~~approve a change in the boundaries of the district.~~

189 ~~(2) If the board of county commissioners approves such~~
190 ~~change, an amendment shall be made to the order creating the~~
191 ~~district to conform with the boundary change.~~

192 Section 12. Subsection (1) of section 388.221, Florida
193 Statutes, is amended to read:

194 388.221 Tax levy.—

195 (1) The board of commissioners of such district may levy
196 upon all of the real and personal taxable property in said
197 district a special tax not exceeding 1 mill ~~10 mills~~ on the
198 dollar during each year as maintenance tax to be used solely for
199 the purposes authorized and prescribed by this chapter. Said
200 board shall by resolution certify to the property appraiser of
201 the county in which the property is situate, timely for the
202 preparation of the tax roll, the tax rate to be applied in
203 determining the amount of the district's annual maintenance tax.
204 Certified copies of such resolution executed in the name of said
205 board by its chair and secretary and under its corporate seal
206 shall be made and delivered to the property appraiser and the
207 board of county commissioners of the county in which such
208 district is located, and to the Department of Revenue not later
209 than September 30 of such year. The property appraiser of said
210 county shall assess and the tax collector of said county shall
211 collect the amount of taxes so assessed and levied by said board
212 of commissioners of said district upon all of the taxable real
213 and personal property in said district at the rate of taxation



214 adopted by said board for said year and included in said
215 resolution, and said levy shall be included in the warrants of
216 the property appraiser and attached to the assessment roll of
217 taxes for said county each year. The tax collector shall collect
218 such taxes so levied by said board in the same manner as other
219 taxes are collected and shall pay the same within the time and
220 in the manner prescribed by law to the treasurer of said board.
221 The Department of Revenue shall assess and levy on all the
222 railroad lines and railroad property and telegraph and telephone
223 lines and telegraph and telephone property situated in said
224 district in the amount of each such levy as in case of other
225 state and county taxes and shall collect said taxes thereon in
226 the same manner as it is required by law to assess and collect
227 taxes for state and county purposes and remit the same to the
228 treasurer of said board. All such taxes shall be held by said
229 treasurer for the credit of said board and paid out by him or
230 her as ordered by said board.

231 Section 13. Subsection (1) of section 388.271, Florida
232 Statutes, is amended, and subsection (3) is added to that
233 section, to read:

234 388.271 Prerequisites to participation.—

235 (1) When state funds are involved, it is the duty of the
236 department to guide, review, approve, and coordinate the
237 activities of all county governments and special districts
238 receiving state funds in furtherance of the goal of integrated
239 arthropod control. Each county ~~or district~~ eligible to
240 participate ~~hereunder~~ may, and each district must, begin
241 participation on October 1 of any year by filing with the
242 department not later than July 15 a tentative work plan and



243 tentative detailed work plan budget providing for the control of
244 arthropods. Following approval of the plan and budget by the
245 department, two copies of the county's or district's certified
246 budget based on the approved work plan and detailed work plan
247 budget shall be submitted to the department by September 30
248 following. State funds, supplies, and services shall be made
249 available to such county or district by and through the
250 department immediately upon release of funds by the Executive
251 Office of the Governor.

252 (3) If a special district fails to submit a tentative work
253 plan and tentative detailed work plan budget as required by
254 subsection (1), the department must send notice of such failure
255 to the Department of Commerce within 30 days.

256 Section 14. Paragraph (c) of subsection (2) of section
257 388.46, Florida Statutes, is amended to read:

258 388.46 Florida Coordinating Council on Mosquito Control;
259 establishment; membership; organization; responsibilities.-

260 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.-

261 (c) *Responsibilities*.-The council shall:

262 1. Develop and implement guidelines to assist the
263 department in resolving disputes arising over the control of
264 arthropods on publicly owned lands.

265 2. Develop and recommend to the department a request for
266 proposal process for arthropod control research.

267 3. Identify potential funding sources for research or
268 implementation projects and evaluate and prioritize proposals
269 upon request by the funding source.

270 4. Prepare and present reports, as needed, on arthropod
271 control activities in the state to other governmental



272 organizations, as appropriate.

273 5. By August 30, 2024, develop model goals, objectives, and
274 performance measures and standards to assist mosquito control
275 districts in conducting performance monitoring pursuant to s.
276 189.0694.

277 Section 15. This act shall take effect July 1, 2024.

278
279 ===== T I T L E A M E N D M E N T =====

280 And the title is amended as follows:

281 Delete everything before the enacting clause
282 and insert:

283 A bill to be entitled
284 An act relating to special districts; repealing s.
285 163.3756, F.S., relating to inactive community
286 redevelopment agencies; amending s. 163.504, F.S.;
287 prohibiting the creation of new safe neighborhood
288 improvement districts after a date certain; repealing
289 s. 165.0615, F.S., relating to municipal conversion of
290 independent special districts upon an elector-
291 initiated and approved referendum; creating s.
292 189.0312, F.S.; providing term limits for elected
293 members of governing bodies of independent special
294 districts; providing an exception; providing
295 construction; creating s. 189.0313, F.S.; providing
296 the method for changing boundaries of an independent
297 special district; providing an exception; amending s.
298 189.062, F.S.; providing additional criteria for
299 declaring a special district inactive; providing
300 exceptions; requiring certain special districts to



301 provide notice of a proposed declaration of inactive
302 status to the county or municipality under certain
303 circumstances; revising the time period for filing an
304 objection to a proposed declaration; authorizing a
305 specific objection; providing that a district declared
306 inactive may only expend funds as necessary to service
307 outstanding debt and to comply with existing bond
308 covenants and contractual obligations; making
309 technical changes; creating s. 189.0694, F.S.;
310 requiring special districts to establish performance
311 measures to assess performance; requiring special
312 districts to publish an annual report; providing
313 requirements for the report; amending s. 189.0695,
314 F.S.; requiring the Office of Program Policy Analysis
315 and Government Accountability to conduct performance
316 reviews annually of safe neighborhood improvement
317 districts; repealing s. 190.047, F.S., relating to
318 incorporation or annexation of a district; amending s.
319 191.013, F.S.; requiring independent special fire
320 control districts to report annually, by a specified
321 date, information regarding the completion of required
322 trainings and the receipt of required certifications
323 by certain firefighters to the Division of State Fire
324 Marshal; amending s. 388.211, F.S.; providing that the
325 boundaries of a mosquito control district may only be
326 changed by special act; amending s. 388.221, F.S.;
327 reducing the maximum millage rate for mosquito control
328 districts; amending s. 388.271, F.S.; requiring,
329 instead of authorizing, special districts to file



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330 tentative work plans and work plan budgets at
331 specified intervals; requiring the Department of
332 Agriculture and Consumer Services to report to the
333 Department of Commerce if certain special districts
334 fail to submit specified information; making technical
335 changes; amending s. 388.46, F.S.; requiring the
336 Florida Coordinating Council on Mosquito Control to
337 establish, by a specified date, model goals,
338 objectives, and performance measures and standards to
339 assist districts in conducting performance monitoring;
340 providing an effective date.