

26 obligations; creating s. 189.0694, F.S.; requiring
27 special districts to establish performance measures to
28 assess performance; requiring special districts to
29 publish an annual report concerning performance
30 measures; amending s. 189.0695, F.S.; requiring the
31 Office of Program Policy Analysis and Governmental
32 Accountability to conduct performance reviews;
33 amending s. 190.005, F.S.; requiring the petition for
34 creation of a community development district to
35 contain specified information; amending s. 191.013,
36 F.S.; requiring independent special fire control
37 districts to annually report training information to
38 the Division of State Fire Marshal; amending s.
39 388.211, F.S.; providing the boundaries of a mosquito
40 control district may only be changed by special act;
41 amending s. 388.221, F.S.; reducing the maximum
42 millage rate for mosquito control districts; amending
43 s. 388.271, F.S.; requiring, instead of authorizing,
44 special districts to file tentative work plans and
45 work plan budgets at specified intervals; requiring
46 the Department of Agriculture and Consumer Services to
47 report to the Department of Commerce if certain
48 special districts fail to submit specified
49 information; amending s. 388.46, F.S.; requiring the
50 Florida Coordinating Council on Mosquito Control to

51 | establish model measures to assist districts in
 52 | conducting performance monitoring; providing an
 53 | effective date.

54 |
 55 | Be It Enacted by the Legislature of the State of Florida:

56 |
 57 | Section 1. Section 163.3756, Florida Statutes, is
 58 | repealed.

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

61 | 163.504 Safe neighborhood improvement districts; formation
 62 | authorized by ordinance; jurisdictional boundaries; prohibition
 63 | on future creation.—

64 | (1) The governing body of any municipality or county may
 65 | authorize the formation of safe neighborhood improvement
 66 | districts through the adoption of a planning ordinance which
 67 | specifies that such districts may be created by one or more of
 68 | the methods established in ss. 163.506, 163.508, 163.511, and
 69 | 163.512. No district may overlap the jurisdictional boundaries
 70 | of a municipality and the unincorporated area of a county,
 71 | except by interlocal agreement.

72 | (2) A safe neighborhood improvement district may not be
 73 | created on or after July 1, 2024. A safe neighborhood
 74 | improvement district in existence before July 1, 2024, may
 75 | continue to operate as provided in this part.

76 Section 3. Section 165.0615, Florida Statutes, is
 77 repealed.

78 Section 4. Section 189.0312, Florida Statutes, is created
 79 to read:

80 189.0312 Independent special districts; term of office.-

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

87 (2) This section does not apply to a community development
 88 district established under chapter 190, or an independent
 89 special district created pursuant to a special act that provides
 90 that any amendment to chapter 190 to grant additional powers
 91 constitutes a power of the district.

92 (3) This section does not require an independent special
 93 district governed by an appointed governing body to convert to
 94 an elected governing body.

95 Section 5. Section 189.0313, Florida Statutes, is created
 96 to read:

97 189.0313 Independent special districts; boundaries;
 98 exception.-Notwithstanding any special law or general law of
 99 local application to the contrary, the boundaries of an
 100 independent special district shall only be changed by general

101 law or special act. This section does not apply to a community
 102 development district established pursuant to chapter 190.

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

105 189.062 Special procedures for inactive districts.—

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

108 (a) The special district meets one of the following
 109 criteria:

110 1. The registered agent of the district, the chair of the
 111 governing body of the district, or the governing body of the
 112 appropriate local general-purpose government notifies the
 113 department in writing that the district has taken no action for
 114 2 or more years;

115 2. The registered agent of the district, the chair of the
 116 governing body of the district, or the governing body of the
 117 appropriate local general-purpose government notifies the
 118 department in writing that the district has not had a governing
 119 body or a sufficient number of governing body members to
 120 constitute a quorum for 2 or more years;

121 3. The registered agent of the district, the chair of the
 122 governing body of the district, or the governing body of the
 123 appropriate local general-purpose government fails to respond to
 124 an inquiry by the department within 21 days;

125 4. The department determines, pursuant to s. 189.067, that

126 the district has failed to file any of the reports listed in s.
127 189.066;

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

130 6. The governing body of a special district provides
131 documentation to the department that it has unanimously adopted
132 a resolution declaring the special district inactive. The
133 special district is responsible for payment of any expenses
134 associated with its dissolution;~~or~~

135 7. The district is an independent special district or a
136 community redevelopment district created under part III of
137 chapter 163 that has reported no revenue, no expenditures, and
138 no debt under s. 189.016(9) or s. 218.32 for at least 5
139 consecutive fiscal years beginning no earlier than October 1,
140 2018. This subparagraph does not apply to a community
141 development district established under chapter 190 or to any
142 independent special district operating pursuant to a special act
143 that provides that any amendment to chapter 190 to grant
144 additional powers constitutes a power of that district; or

145 8. For a mosquito control district created pursuant to
146 chapter 388, the department has received notice from the
147 Department of Agriculture and Consumer Services that the
148 district has failed to file a tentative work plan and tentative
149 detailed work plan budget as required by s. 388.271.

150 (b) The department, special district, or local general-

151 purpose government has published a notice of proposed
152 declaration of inactive status in a newspaper of general
153 circulation in the county or municipality in which the territory
154 of the special district is located and has sent a copy of such
155 notice by certified mail to the registered agent or chair of the
156 governing body, if any. If the special district is a dependent
157 special district with a governing body that is not identical to
158 the governing body of a single county or a single municipality,
159 a copy of such notice must also be sent by certified mail to the
160 governing body of the county or municipality on which the
161 district is dependent. Such notice must include the name of the
162 special district, the law under which it was organized and
163 operating, a general description of the territory included in
164 the special district, and a statement that any objections must
165 be filed pursuant to chapter 120 within 30 ~~21~~ days after the
166 publication date. The objections may include that the special
167 district has outstanding debt obligations that are not included
168 in reports required under s. 189.016(9) or s. 218.32.

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

172 (2) If any special district is declared inactive pursuant
173 to this section, the district may only expend funds as necessary
174 to service outstanding debt and to comply with existing bond
175 covenants and other contractual obligations. The property or

176 assets of the special district are subject to legal process for
 177 payment of any debts of the district. After the payment of all
 178 the debts of said inactive special district, the remainder of
 179 its property or assets shall escheat to the county or
 180 municipality wherein located. If, however, it shall be
 181 necessary, in order to pay any such debt, to levy any tax or
 182 taxes on the property in the territory or limits of the inactive
 183 special district, the same may be assessed and levied by order
 184 of the local general-purpose government wherein the same is
 185 situated and shall be assessed by the county property appraiser
 186 and collected by the county tax collector.

187 Section 7. Section 189.0694, Florida Statutes, is created
 188 to read:

189 189.0694 Special districts; performance measures and
 190 standards.-

191 (1) Beginning October 1, 2024, or by the end of the first
 192 full fiscal year after its creation, whichever is later, each
 193 special district must establish goals and objectives for each
 194 program and activity undertaken by the district, as well as
 195 performance measures and standards to determine if the
 196 district's goals and objectives are being achieved.

197 (2) By October 1 of each year thereafter, each special
 198 district must publish an annual report on the district's website
 199 describing:

200 (a) The goals and objectives achieved by the district, as

201 well as the performance measures and standards used by the
202 district to make this determination.

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

205 Section 8. Paragraph (c) is added to subsection (3) of
206 section 189.0695, Florida Statutes, to read:

207 189.0695 Independent special districts; performance
208 reviews.—

209 (3) The Office of Program Policy Analysis and Government
210 Accountability must conduct a performance review of all
211 independent special districts within the classifications
212 described in paragraphs (a), ~~and~~ (b), and (c) and may contract
213 as needed to complete the requirements of this subsection. The
214 Office of Program Policy Analysis and Government Accountability
215 shall submit the final report of the performance review to the
216 President of the Senate and the Speaker of the House of
217 Representatives as follows:

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

220 Section 9. Paragraph (a) of subsection (1) of section
221 190.005, Florida Statutes, is amended to read:

222 190.005 Establishment of district.—

223 (1) The exclusive and uniform method for the establishment
224 of a community development district with a size of 2,500 acres
225 or more shall be pursuant to a rule, adopted under chapter 120

226 | by the Florida Land and Water Adjudicatory Commission, granting
 227 | a petition for the establishment of a community development
 228 | district.

229 | (a) A petition for the establishment of a community
 230 | development district shall be filed by the petitioner with the
 231 | Florida Land and Water Adjudicatory Commission. The petition
 232 | shall contain:

233 | 1. A metes and bounds description of the external
 234 | boundaries of the district. Any real property within the
 235 | external boundaries of the district which is to be excluded from
 236 | the district shall be specifically described, and the last known
 237 | address of all owners of such real property shall be listed. The
 238 | petition shall also address the impact of the proposed district
 239 | on any real property within the external boundaries of the
 240 | district which is to be excluded from the district.

241 | 2. The written consent to the establishment of the
 242 | district by all landowners whose real property is to be included
 243 | in the district or documentation demonstrating that the
 244 | petitioner has control by deed, trust agreement, contract, or
 245 | option of 100 percent of the real property to be included in the
 246 | district, and when real property to be included in the district
 247 | is owned by a governmental entity and subject to a ground lease
 248 | as described in s. 190.003(14), the written consent by such
 249 | governmental entity.

250 | 3. A designation of five persons to be the initial members

251 of the board of supervisors, who shall serve in that office
 252 until replaced by elected members as provided in s. 190.006.

253 4. The proposed name of the district.

254 5. A map of the proposed district showing current major
 255 trunk water mains and sewer interceptors and outfalls if in
 256 existence.

257 6. Based upon available data, the proposed timetable for
 258 construction of the district services and the estimated cost of
 259 constructing the proposed services. These estimates shall be
 260 submitted in good faith but are not binding and may be subject
 261 to change.

262 7. A designation of the future general distribution,
 263 location, and extent of public and private uses of land proposed
 264 for the area within the district by the future land use plan
 265 element of the effective local government comprehensive plan of
 266 which all mandatory elements have been adopted by the applicable
 267 general-purpose local government in compliance with the
 268 Community Planning Act.

269 8. A statement of estimated regulatory costs in accordance
 270 with the requirements of s. 120.541.

271 9. A sworn affidavit, signed by the petitioner, attesting
 272 that the planned development of the proposed district will
 273 contain sufficient residential units for at least 250 qualified
 274 electors within a proposed district of 5,000 acres or less, or
 275 at least 500 qualified electors within a proposed district

276 exceeding 5,000 acres or a compact, urban, mixed-use district.

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

279 191.013 Intergovernmental coordination.—

280 (3) By October 1 of each year, each independent special
281 fire control district shall report to the Division of State Fire
282 Marshal whether each of the district's firefighters and
283 volunteer firefighters have completed the required trainings and
284 certifications established by the division pursuant to s.
285 633.408.

286 Section 11. Section 388.211, Florida Statutes, is amended
287 to read:

288 388.211 Change in district boundaries.—

289 ~~(1) The boundaries of each district may only be changed by~~
290 ~~a special act of the Legislature The board of commissioners of~~
291 ~~any district formed prior to July 1, 1980, may, for and on~~
292 ~~behalf of the district or the qualified electors within or~~
293 ~~without the district, request that the board of county~~
294 ~~commissioners in each county having land within the district~~
295 ~~approve a change in the boundaries of the district.~~

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

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

301 388.221 Tax levy.—
 302 (1) The board of commissioners of such district may levy
 303 upon all of the real and personal taxable property in said
 304 district a special tax not exceeding 1 mill ~~10 mills~~ on the
 305 dollar during each year as maintenance tax to be used solely for
 306 the purposes authorized and prescribed by this chapter. Said
 307 board shall by resolution certify to the property appraiser of
 308 the county in which the property is situate, timely for the
 309 preparation of the tax roll, the tax rate to be applied in
 310 determining the amount of the district's annual maintenance tax.
 311 Certified copies of such resolution executed in the name of said
 312 board by its chair and secretary and under its corporate seal
 313 shall be made and delivered to the property appraiser and the
 314 board of county commissioners of the county in which such
 315 district is located, and to the Department of Revenue not later
 316 than September 30 of such year. The property appraiser of said
 317 county shall assess and the tax collector of said county shall
 318 collect the amount of taxes so assessed and levied by said board
 319 of commissioners of said district upon all of the taxable real
 320 and personal property in said district at the rate of taxation
 321 adopted by said board for said year and included in said
 322 resolution, and said levy shall be included in the warrants of
 323 the property appraiser and attached to the assessment roll of
 324 taxes for said county each year. The tax collector shall collect
 325 such taxes so levied by said board in the same manner as other

326 taxes are collected and shall pay the same within the time and
 327 in the manner prescribed by law to the treasurer of said board.
 328 The Department of Revenue shall assess and levy on all the
 329 railroad lines and railroad property and telegraph and telephone
 330 lines and telegraph and telephone property situated in said
 331 district in the amount of each such levy as in case of other
 332 state and county taxes and shall collect said taxes thereon in
 333 the same manner as it is required by law to assess and collect
 334 taxes for state and county purposes and remit the same to the
 335 treasurer of said board. All such taxes shall be held by said
 336 treasurer for the credit of said board and paid out by him or
 337 her as ordered by said board.

338 Section 13. Subsection (1) of section 388.271, Florida
 339 Statutes, is amended and subsection (3) of that section is
 340 added, to read:

341 388.271 Prerequisites to participation.—

342 (1) When state funds are involved, it is the duty of the
 343 department to guide, review, approve, and coordinate the
 344 activities of all county governments and special districts
 345 receiving state funds in furtherance of the goal of integrated
 346 arthropod control. Each county ~~or district~~ eligible to
 347 participate ~~hereunder~~ may, and each district must, begin
 348 participation on October 1 of any year by filing with the
 349 department not later than July 15 a tentative work plan and
 350 tentative detailed work plan budget providing for the control of

351 arthropods. Following approval of the plan and budget by the
 352 department, two copies of the county's or district's certified
 353 budget based on the approved work plan and detailed work plan
 354 budget shall be submitted to the department by September 30
 355 following. State funds, supplies, and services shall be made
 356 available to such county or district by and through the
 357 department immediately upon release of funds by the Executive
 358 Office of the Governor.

359 (3) If a special district fails to submit a tentative work
 360 plan and tentative detailed work plan budget as required by
 361 subsection (1), the department shall send notice of such failure
 362 to the Department of Commerce within 30 days.

363 Section 14. Paragraph (c) of subsection (2) of section
 364 388.46, Florida Statutes, is amended to read:

365 388.46 Florida Coordinating Council on Mosquito Control;
 366 establishment; membership; organization; responsibilities.—

367 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

368 (c) Responsibilities.—The council shall:

369 1. Develop and implement guidelines to assist the
 370 department in resolving disputes arising over the control of
 371 arthropods on publicly owned lands.

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

374 3. Identify potential funding sources for research or
 375 implementation projects and evaluate and prioritize proposals

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376 upon request by the funding source.

377 4. Prepare and present reports, as needed, on arthropod
378 control activities in the state to other governmental
379 organizations, as appropriate.

380 5. By August 30, 2024, develop model goals, objectives,
381 and performance measures and standards to assist mosquito
382 control districts in conducting performance monitoring pursuant
383 to s. 189.0694.

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