

ENROLLED

CS/HB 4017

2025 Legislature

1
 2 An act relating to the Bermont Drainage District,
 3 Charlotte County; creating the Bermont Drainage
 4 District in Charlotte County as a public corporation;
 5 providing that all subsequent proceedings concerning
 6 the district are ratified, confirmed, and approved;
 7 creating the district's charter; providing the
 8 district's status and boundaries; providing minimum
 9 charter requirements; providing applicability of
 10 specified laws to the district; providing
 11 severability; providing retroactive application;
 12 providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Creation of the district; boundaries ratified
 17 and approved.—The final decree creating and incorporating the
 18 Bermont Drainage District, Charlotte County, entered by the
 19 Circuit Court of the Twelfth Judicial Circuit in and for
 20 Charlotte County, Florida, on March 12, 1965, creating and
 21 incorporating the Bermont Drainage District as a public
 22 corporation of this state, and all subsequent proceedings taken
 23 in said circuit court concerning said district are ratified,
 24 confirmed, and approved.

25 Section 2. The charter for the Bermont Drainage District

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26 | is created to read:

27 | Section 1. Status and boundaries of Bermont Drainage
 28 | District.—The Bermont Drainage District is hereby declared to be
 29 | an independent water control district and a public corporation
 30 | of the state pursuant to chapters 189 and 298, Florida Statutes,
 31 | and the lands lying within the area described as follows in
 32 | Charlotte County shall hereby constitute the Bermont Drainage
 33 | District:

34 |
 35 | Township 40 South, Range 26 East.
 36 | The Southwest 1/4 of the Southwest 1/4 of Section 23; the
 37 | South 1/2 of the Southeast 1/4 of the Southwest 1/4 of
 38 | Section 23.
 39 | The South 1/2 of the Southeast 1/4 of Section 24.
 40 | All of Section 25.
 41 | All of Section 26.
 42 | All of Section 25, less the R/W for road in said section.
 43 | All of Section 36, less the R/W for road in said section.
 44 | All Government Lots in said sections to be included.
 45 | Containing 2,900.24 acres.

46 |
 47 | Section 2. Minimum charter requirements.—In accordance
 48 | with s. 189.031(3), Florida Statutes, the following are the
 49 | minimum requirements for the charter of the Bermont Drainage
 50 | District:

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51 (1) The district is organized and exists for all purposes
 52 set forth in this act and chapter 298, Florida Statutes.

53 (2) The district's charter may be amended only by special
 54 act of the Legislature.

55 (3) In accordance with chapter 189, Florida Statutes, this
 56 act, and ss. 298.11 and 298.12, Florida Statutes, the governing
 57 board of the district shall be designated the "Board of
 58 Supervisors of the Bermont Drainage District" and shall be
 59 composed of three persons, who shall be qualified to hold such
 60 office if they are landowners within the district, residents of
 61 the state, and citizens of the United States, elected on a 1-
 62 acre, one-vote basis by the landowners in the district; however,
 63 landowners owning less than 1 acre in the aggregate shall be
 64 entitled to one vote. Landowners with more than 1 acre shall be
 65 entitled to one additional vote for any fraction of an acre
 66 greater than 1/2 acre owned when a landowner's acreage has been
 67 aggregated for purposes of voting. The membership and
 68 organization of the governing board shall be as set forth in
 69 this charter and chapter 298, Florida Statutes, provided this
 70 charter controls with respect to any inconsistency.

71 (4) The compensation of the governing board members shall
 72 be governed by this act and chapter 298, Florida Statutes.

73 (5) The administrative duties of the governing board shall
 74 be as set forth in this act and chapters 189 and 298, Florida
 75 Statutes.

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76 (6) Requirements for financial disclosure, meeting
77 notices, reporting, public records maintenance, and per diem
78 expenses for district officers and employees shall be as set
79 forth in chapters 112, 189, 190, 286, and 298, Florida Statutes,
80 and all other applicable general laws of the state.

81 (7) The procedures and requirements governing the issuance
82 of bonds, notes, and other evidence of indebtedness by the
83 district shall be as set forth in chapters 189 and 298, Florida
84 Statutes, and applicable general laws.

85 (8) The procedures for conducting district elections or
86 referenda and for qualification of electors shall be pursuant to
87 chapters 189 and 298, Florida Statutes; however, a quorum for
88 purposes of holding the annual meeting or any special meetings
89 shall consist of those landowners present in person or
90 represented by proxy at said meeting.

91 (9) The district may be financed by any method established
92 in this act, chapter 298, Florida Statutes, and other applicable
93 general laws of the state.

94 (10) The district is authorized to assess and levy a
95 maintenance tax that shall be equal and uniform in amount upon
96 each acre of land assessed, and upon any tract or parcel less
97 than 1 acre in size.

98 (11) The methods for collecting non-ad valorem
99 assessments, fees, or service charges shall be as set forth in
100 chapters 197 and 298, Florida Statutes, and other applicable

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101 general laws of the state.

102 (12) The district's planning requirements shall be as set
 103 forth in chapters 189 and 298, Florida Statutes.

104 (13) The district's geographic boundary shall be as set
 105 forth in this act.

106 Section 3. Provisions of chapter 298, Florida Statutes,
 107 made applicable.—The Bermont Drainage District hereby created
 108 shall be an independent water control district and a public
 109 corporation of this state. The provisions of state law
 110 applicable to water control districts or subdistricts which are
 111 embodied in chapter 298, Florida Statutes, so far as not
 112 inconsistent with this act, are hereby declared to be applicable
 113 to the Bermont Drainage District. The Bermont Drainage District
 114 shall have all of the powers and authorities conferred in this
 115 act and chapter 298, Florida Statutes.

116 Section 4. Severability.—If any provision of this act or
 117 the application thereof to any person or circumstance is held
 118 invalid, the invalidity shall not affect other provisions or
 119 applications of the act which can be given effect without the
 120 invalid provision or application, and to this end the provisions
 121 of this act are declared severable.

122 Section 3. This act is remedial in nature and retroactive
 123 to March 12, 2025.

124 Section 4. This act shall take effect upon becoming a law.