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1
2 An act relating to Collier County; creating the
3 Corkscrew Grove Stewardship District; providing a
4 short title; providing legislative findings and
5 intent; providing definitions; stating legislative
6 policy regarding creation of the district;
7 establishing compliance with minimum requirements for
8 creation of an independent special district; providing
9 for creation and establishment of the district;
10 establishing the legal boundaries of the district;
11 providing for the jurisdiction and charter of the
12 district; providing for a board of supervisors;
13 providing for election, membership, terms, meetings,
14 and duties of board members; providing a method for
15 transition of the board from landowner control to
16 control by the resident electors of the district;
17 providing for a district manager and district
18 personnel; providing for a district treasurer,
19 selection of a public depository, and district budgets
20 and financial reports; providing the general and
21 special powers of the district; providing for bonds;
22 providing for borrowing; providing for future ad
23 valorem taxation; providing for special assessments;
24 providing for issuance of certificates of
25 indebtedness; providing for tax liens; providing for

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26 competitive procurement; providing for fees and
27 charges; providing for termination, contraction,
28 expansion, or merger of the district; providing for
29 required notices to purchasers of residential units
30 within the district; specifying district public
31 property; providing severability; providing for a
32 referendum; providing effective dates.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

36 Section 1. This act may be cited as the "Corkscrew Grove
37 Stewardship District Act."

38 Section 2. Legislative findings and intent; definitions;
39 policy.-

40 (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.-

41 (a) The extensive lands located wholly within Collier
42 County and covered by this act contain many opportunities for
43 thoughtful, comprehensive, responsible, and consistent
44 development over a long period.

45 (b) There is a need to use a single special and limited
46 purpose independent special district unit of local government
47 for the Corkscrew Grove Stewardship District lands located
48 within Collier County and covered by this act to provide for a
49 more comprehensive community development approach, which will
50 facilitate an integral relationship between regional

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51 transportation, land use, and urban design to provide for a
52 diverse mix of housing and regional employment and economic
53 development opportunities, rather than fragmented development
54 with underutilized infrastructure generally associated with
55 urban sprawl.

56 (c) There is a considerably long period of time during
57 which there is a significant burden on the initial landowners of
58 the district lands to provide various systems, facilities, and
59 services, such that there is a need for flexible management,
60 sequencing, timing, and financing of the various systems,
61 facilities, and services to be provided to these lands, taking
62 into consideration absorption rates, commercial viability, and
63 related factors.

64 (d) While chapter 190, Florida Statutes, provides an
65 opportunity for previous community development services and
66 facilities to be provided by the continued use of community
67 development districts in a manner that furthers the public
68 interest, given the size of the Corkscrew Grove Stewardship
69 District lands and the duration of development, continuing to
70 utilize multiple community development districts over these
71 lands would result in an inefficient, duplicative, and needless
72 proliferation of local special purpose governments, contrary to
73 the public interest and the Legislature's findings in chapter
74 190, Florida Statutes. Instead, it is in the public interest
75 that the long-range provision for, and management, financing,

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76 and long-term maintenance, upkeep, and operation of, services
77 and facilities to be provided for ultimate development and
78 conservation of the lands covered by this act be under one
79 coordinated entity. The creation of a single district will
80 assist in integrating the management of state resources and
81 allow for greater and more coordinated stewardship of natural
82 resources.

83 (e) Longer involvement of the initial landowner with
84 regard to the provision of systems, facilities, and services for
85 the Corkscrew Grove Stewardship District lands, coupled with the
86 special and limited purpose of the district, is in the public
87 interest.

88 (f) The existence and use of such a special and limited
89 purpose local government for the Corkscrew Grove Stewardship
90 District lands, subject to the Collier County comprehensive
91 plan, will provide for a comprehensive and complete community
92 development approach to promote a sustainable and efficient land
93 use pattern for the Corkscrew Grove Stewardship District lands
94 with long-term planning for conservation and development;
95 provide opportunities for the mitigation of impacts and
96 development of infrastructure in an orderly and timely manner;
97 prevent the overburdening of the general-purpose local
98 government and the taxpayers; and provide an enhanced tax base
99 and regional employment and economic development opportunities.

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100 (g) The creation and establishment of the special district
101 will encourage local government financial self-sufficiency in
102 providing public facilities and in identifying and implementing
103 fiscally sound, innovative, and cost-effective techniques to
104 provide and finance public facilities while encouraging
105 development, use, and coordination of capital improvement plans
106 by all levels of government, in accordance with the goals of
107 chapter 187, Florida Statutes.

108 (h) The creation and establishment of the special district
109 is a legitimate supplemental and alternative method available to
110 manage, own, operate, construct, and finance capital
111 infrastructure systems, facilities, and services.

112 (i) In order to be responsive to the critical timing
113 required through the exercise of its special management
114 functions, an independent special district requires financing of
115 those functions, including bondable lienable and nonlienable
116 revenue, with full and continuing public disclosure and
117 accountability, funded by landowners, both present and future,
118 and funded also by users of the systems, facilities, and
119 services provided to the land area by the special district,
120 without unduly burdening the taxpayers, citizens, and ratepayers
121 of the state or Collier County.

122 (j) The special district created and established by this
123 act shall not have or exercise any comprehensive planning,
124 zoning, or development permitting power; the establishment of

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the special district shall not be considered a development order within the meaning of chapter 380, Florida Statutes; and all applicable planning and permitting laws, rules, regulations, and policies of Collier County control the development of the land to be serviced by the special district.

(k) The creation by this act of the Corkscrew Grove Stewardship District is not inconsistent with the Collier County comprehensive plan.

(l) It is the legislative intent and purpose that no debt or obligation of the special district constitute a burden on Collier County.

(2) DEFINITIONS.—As used in this act:

(a) "Ad valorem bonds" means bonds that are payable from the proceeds of ad valorem taxes levied on real and tangible personal property and that are generally referred to as general obligation bonds.

(b) "Assessable improvements" means, without limitation, any and all public improvements and community facilities that the district is empowered to provide in accordance with this act that provide a special benefit to property within the district.

(c) "Assessment bonds" means special obligations of the district which are payable solely from proceeds of the special assessments or benefit special assessments levied for assessable improvements, provided that, in lieu of issuing assessment bonds

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149 to fund the costs of assessable improvements, the district may
150 issue revenue bonds for such purposes payable from assessments.

151 (d) "Assessments" means those nonmillage district
152 assessments which include special assessments, benefit special
153 assessments, and maintenance special assessments and a
154 nonmillage, non-ad valorem maintenance tax if authorized by
155 general law.

156 (e) "Benefit special assessments" means district
157 assessments imposed, levied, and collected pursuant to section
158 6(12) (b) .

159 (f) "Board of supervisors" or "board" means the governing
160 body of the district or, if such board has been abolished, the
161 board, body, or commission assuming the principal functions
162 thereof or to whom the powers given to the board by this act
163 have been given by law.

164 (g) "Bond" includes "certificate," and the provisions that
165 are applicable to bonds are equally applicable to certificates.
166 The term also includes any general obligation bond, assessment
167 bond, refunding bond, revenue bond, bond anticipation note, and
168 other such obligation in the nature of a bond as is provided for
169 in this act.

170 (h) "Cost" or "costs," when used in reference to any
171 project, includes, but is not limited to:

172 1. The expenses of determining the feasibility or
173 practicability of acquisition, construction, or reconstruction.

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- 174 2. The cost of surveys, estimates, plans, and
175 specifications.
- 176 3. The cost of improvements.
- 177 4. Engineering, architectural, fiscal, and legal expenses
178 and charges.
- 179 5. The cost of all labor, materials, machinery, and
180 equipment.
- 181 6. The cost of all lands, properties, rights, easements,
182 and franchises acquired.
- 183 7. Financing charges.
- 184 8. The creation of initial reserve and debt service funds.
- 185 9. Working capital.
- 186 10. Interest charges incurred or estimated to be incurred
187 on money borrowed prior to and during construction and
188 acquisition and for such reasonable period of time after
189 completion of construction or acquisition as the board may
190 determine.
- 191 11. The cost of issuance of bonds pursuant to this act,
192 including advertisements and printing.
- 193 12. The cost of any bond or tax referendum held pursuant
194 to this act and all other expenses of issuance of bonds.
- 195 13. The discount, if any, on the sale or exchange of
196 bonds.
- 197 14. Administrative expenses.

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15. Such other expenses as may be necessary or incidental to the acquisition, construction, or reconstruction of any project, or to the financing thereof, or to the development of any lands within the district.

16. Payments, contributions, dedications, and any other exactions required as a condition of receiving any governmental approval or permit necessary to accomplish any district purpose.

17. Any other expense or payment permitted by this act or allowable by law.

(i) "District" means the Corkscrew Grove Stewardship District.

(j) "District manager" means the manager of the district.

(k) "District roads" means highways, streets, roads, alleys, intersection improvements, sidewalks, crossings, landscaping, irrigation, signage, signalization, storm drains, bridges, multiuse trails, lighting, and thoroughfares of all kinds.

(l) "General obligation bonds" means bonds which are secured by, or provide for their payment by, the pledge of the full faith and credit and taxing power of the district.

(m) "General-purpose local government" means a city, municipality, or consolidated city-county government.

(n) "Governing board member" means any member of the board of supervisors.

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222 (o) "Land development regulations" means those regulations
223 of the general-purpose local government, adopted under the
224 Community Planning Act, codified as part II of chapter 163,
225 Florida Statutes, to which the district is subject and as to
226 which the district may not do anything that is inconsistent
227 therewith. The term "land development regulations" does not
228 include specific management, engineering, operations, or capital
229 improvement planning, needed in the daily management,
230 implementation, and supplying by the district of systems,
231 facilities, services, works, improvements, projects, or
232 infrastructure, so long as they remain subject to and are not
233 inconsistent with the applicable county codes.

234 (p) "Landowner" means the owner of a freehold estate as it
235 appears on the deed record, including a trustee, a private
236 corporation, and an owner of a condominium unit. The term
237 "landowner" does not include a reversioner, remainderman,
238 mortgagee, or any governmental entity which shall not be counted
239 and need not be notified of proceedings under this act. The term
240 "landowner" also means the owner of a ground lease from a
241 governmental entity, which leasehold interest has a remaining
242 term, excluding all renewal options, in excess of 50 years.

243 (q) "Maintenance special assessments" are assessments
244 imposed, levied, and collected pursuant to section 6(12)(d).

245 (r) "Non-ad valorem assessment" means only those
246 assessments which are not based upon millage and which can

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247 become a lien against a homestead as permitted in s. 4, Article
248 X of the State Constitution.

249 (s) "Powers" means powers used and exercised by the board
250 of supervisors to accomplish the special and limited purposes of
251 the district, including:

252 1. "General powers," which means those organizational and
253 administrative powers of the district as provided in its charter
254 in order to carry out its special and limited purpose as a local
255 government public corporate body politic.

256 2. "Special powers," which means those powers enumerated
257 by the district charter to implement its specialized systems,
258 facilities, services, projects, improvements, and infrastructure
259 and related functions in order to carry out its special and
260 limited purposes.

261 3. Any other powers, authority, or functions set forth in
262 this act.

263 (t) "Project" means any development, improvement,
264 property, power, utility, facility, enterprise, service, system,
265 works, or infrastructure now existing or hereafter undertaken or
266 established under this act.

267 (u) "Qualified elector" means any person at least 18 years
268 of age who is a citizen of the United States and a legal
269 resident of this state and of the district, who registers to
270 vote with the Supervisor of Elections of Collier County, and who
271 resides in Collier County.

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272 (v) "Reclaimed water" means water, including from wells or
273 stormwater management facilities, that has received at least
274 secondary treatment and basic disinfection and is reused after
275 flowing out of a domestic wastewater treatment facility, or
276 otherwise as an approved use of surface water or groundwater by
277 the water management district.

278 (w) "Reclaimed water system" means any plant, well,
279 system, facility, or property, and any addition, extension, or
280 improvement thereto at any future time constructed or acquired
281 as part thereof, useful, necessary, or having the present
282 capacity for future use in connection with the development of
283 sources, treatment, purification, or distribution of reclaimed
284 water. The term includes franchises of any nature relating to
285 any such system and necessary or convenient for the operation
286 thereof including for the district's own use or resale.

287 (x) "Refunding bonds" means bonds issued to refinance
288 outstanding bonds of any type and the interest and redemption
289 premium thereon. Refunding bonds may be issuable and payable in
290 the same manner as refinanced bonds, except that no approval by
291 the electorate shall be required unless required by the State
292 Constitution.

293 (y) "Revenue bonds" means obligations of the district that
294 are payable from revenues, including, but not limited to,
295 special assessments and benefit special assessments, derived
296 from sources other than ad valorem taxes on real or tangible

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297 personal property and that do not pledge the property, credit,
298 or general tax revenue of the district.

299 (z) "Sewer system" means any plant, system, facility, or
300 property, and additions, extensions, and improvements thereto at
301 any future time constructed or acquired as part thereof, useful
302 or necessary or having the present capacity for future use in
303 connection with the collection, treatment, purification, or
304 disposal of sewage, including, but not limited to, industrial
305 wastes resulting from any process of industry, manufacture,
306 trade, or business or from the development of any natural
307 resource. The term also includes treatment plants, pumping
308 stations, lift stations, valves, force mains, intercepting
309 sewers, laterals, pressure lines, mains, and all necessary
310 appurtenances and equipment; all sewer mains, laterals, and
311 other devices for the reception and collection of sewage from
312 premises connected therewith; all real and personal property and
313 any interest therein; and rights, easements, and franchises of
314 any nature relating to any such system and necessary or
315 convenient for operation thereof.

316 (aa) "Special assessments" means assessments as imposed,
317 levied, and collected by the district for the costs of
318 assessable improvements pursuant to this act; chapter 170,
319 Florida Statutes; and the additional authority under s.
320 197.3631, Florida Statutes, or other provisions of general law,
321 now or hereinafter enacted, which provide or authorize a

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322 supplemental means to impose, levy, or collect special
323 assessments.

324 (bb) "Corkscrew Grove Stewardship District" means the unit
325 of special and limited purpose local government and political
326 subdivision created and chartered by this act, and limited to
327 the performance of those general and special powers authorized
328 by its charter under this act, the boundaries of which are set
329 forth by the act, the governing board of which is created and
330 authorized to operate with legal existence by this act, and the
331 purpose of which is as set forth in this act.

332 (cc) "Tax" or "taxes" means those levies and impositions
333 of the board of supervisors that support and pay for government
334 and the administration of law and that may be:

335 1. Ad valorem or property taxes based upon both the
336 appraised value of property and millage, at a rate uniform
337 within the jurisdiction; or

338 2. If and when authorized by general law, non-ad valorem
339 maintenance taxes not based on millage that are used to maintain
340 district systems, facilities, and services.

341 (dd) "Water system" means any plant, system, facility, or
342 property, and any addition, extension, or improvement thereto at
343 any future time constructed or acquired as a part thereof,
344 useful, necessary, or having the present capacity for future use
345 in connection with the development of sources, treatment,
346 purification, or distribution of water. The term also includes

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dams, reservoirs, storage tanks, mains, lines, valves, pumping stations, laterals, and pipes for the purpose of carrying water to the premises connected with such system, and all rights, easements, and franchises of any nature relating to any such system and necessary or convenient for the operation thereof.

(3) POLICY.—Based upon its findings, ascertainments, determinations, intent, purpose, and definitions, the Legislature states its policy expressly:

(a) The district and the district charter, with its general and special powers, as created in this act, are essential and the best alternative for the residential, commercial, industrial, office, hotel, health care, and other similar community uses, projects, or functions in the included portion of Collier County consistent with the effective comprehensive plan, and designed to serve a lawful public purpose.

(b) The district, which is a local government and a political subdivision, is limited to its special purpose as expressed in this act, with the power to provide, plan, implement, construct, maintain, and finance as a local government management entity systems, facilities, services, improvements, infrastructure, and projects, and possessing financing powers to fund its management power over the long term and with sustained levels of high quality.

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371 (c) The creation of the Corkscrew Grove Stewardship
372 District by and pursuant to this act, and its exercise of its
373 management and related financing powers to implement its
374 limited, single, and special purpose, is not a development order
375 and does not trigger or invoke any provision within the meaning
376 of chapter 380, Florida Statutes, and all applicable
377 governmental planning, environmental, and land development laws,
378 regulations, rules, policies, and ordinances apply to all
379 development of the land within the jurisdiction of the district
380 as created by this act.

381 (d) The district shall operate and function subject to,
382 and not inconsistent with, the applicable comprehensive plan of
383 Collier County and any applicable development orders (e.g.,
384 detailed site plan development orders), zoning regulations, and
385 other land development regulations.

386 (e) The special and single purpose Corkscrew Grove
387 Stewardship District shall not have the power of a general-
388 purpose local government to adopt a comprehensive plan or
389 related land development regulation as those terms are defined
390 in the Community Planning Act.

391 (f) This act may be amended, in whole or in part, only by
392 special act of the Legislature. The board of supervisors of the
393 district shall not ask the Legislature to amend this act without
394 first obtaining a resolution or official statement from the
395 district and Collier County as may be required by s.

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396 189.031(2)(e)4., Florida Statutes, for creation of an
397 independent special district, and if such an amendment is
398 related to the district's ability to provide services under
399 section 6(7)(b), a resolution or official statement from the
400 Immokalee Water and Sewer District in the form and substance
401 described in s. 189.031(2)(e)4., Florida Statutes, provided
402 amendments to the district's boundaries as described in section
403 4 shall not require a statement from the Immokalee Water and
404 Sewer District.

405 Section 3. Minimum charter requirements; creation and
406 establishment; jurisdiction; construction; charter.-

407 (1) Pursuant to s. 189.031(3), Florida Statutes, the
408 Legislature sets forth that the minimum requirements in
409 paragraphs (a) through (n) have been met in the identified
410 provisions of this act as follows:

411 (a) The purpose of the district is stated in the act in
412 section 2 and subsection (4) of this section.

413 (b) The powers, functions, and duties of the district
414 regarding ad valorem taxation, bond issuance, other revenue-
415 raising capabilities, budget preparation and approval, liens and
416 foreclosure of liens, use of tax deeds and tax certificates as
417 appropriate for non-ad valorem assessments, and contractual
418 agreements are set forth in section 6.

419 (c) The provisions for methods for establishing the
420 district are set forth in this section.

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421 (d) The methods for amending the charter of the district
422 are set forth in section 2.

423 (e) The provisions for the membership and organization of
424 the governing body and the establishment of a quorum are set
425 forth in section 5.

426 (f) The provisions regarding the administrative duties of
427 the governing body are set forth in sections 5 and 6.

428 (g) The provisions applicable to financial disclosure,
429 noticing, and reporting requirements generally are set forth in
430 sections 5 and 6.

431 (h) The provisions regarding procedures and requirements
432 for issuing bonds are set forth in section 6.

433 (i) The provisions regarding elections or referenda and
434 the qualifications of an elector of the district are set forth
435 in sections 2 and 5.

436 (j) The provisions regarding methods for financing the
437 district generally are set forth in section 6.

438 (k) Other than taxes levied for the payment of bonds and
439 taxes levied for periods not longer than 2 years when authorized
440 by vote of the electors of the district, the provisions for the
441 authority to levy ad valorem tax and the authorized millage rate
442 are set forth in section 6.

443 (l) The provisions for the method or methods of collecting
444 non-ad valorem assessments, fees, or service charges are set
445 forth in section 6.

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446 (m) The provisions for planning requirements are set forth
447 in this section and section 6.

448 (n) The provisions for geographic boundary limitations of
449 the district are set forth in sections 4 and 6.

450 (2) The Corkscrew Grove Stewardship District is created
451 and incorporated as a public body corporate and politic, an
452 independent special and limited purpose local government, an
453 independent special district, under s. 189.031, Florida
454 Statutes, as amended from time to time, and as defined in this
455 act and in s. 189.012(3), Florida Statutes, as amended from time
456 to time, in and for portions of Collier County. Any amendments
457 to chapter 190, Florida Statutes, after January 1, 2025,
458 granting additional general powers, special powers, authorities,
459 or projects to a community development district by amendment to
460 its uniform charter, ss. 190.006-190.041, Florida Statutes,
461 which are not inconsistent with this act, shall constitute a
462 general power, special power, authority, or function of the
463 Corkscrew Grove Stewardship District. All notices for the
464 enactment by the Legislature of this special act have been
465 provided pursuant to the State Constitution, the Laws of
466 Florida, and the Rules of the Florida House of Representatives
467 and of the Florida Senate. No referendum subsequent to the
468 effective date of this act is required as a condition of
469 establishing the district. Therefore, the district, as created

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by this act, is established on the property described in this act.

(3) The territorial boundary of the district shall embrace and include all of that certain real property described in section 4.

(4) The jurisdiction of the district, in the exercise of its general and special powers, and in the carrying out of its special and limited purposes, is both within the external boundaries of the legal description of this district and extraterritorially when limited to, and as authorized expressly elsewhere in, the charter of the district as created in this act or applicable general law. This special and limited purpose district is created as a public body corporate and politic, and local government authority and power is limited by its charter, this act, and subject to other general laws, including chapter 189, Florida Statutes, except that an inconsistent provision in this act shall control and the district has jurisdiction to perform such acts and exercise such authorities, functions, and powers as shall be necessary, convenient, incidental, proper, or reasonable for the implementation of its special and limited purpose regarding the sound planning, provision, acquisition, development, operation, maintenance, and related financing of those public systems, facilities, services, improvements, projects, and infrastructure works as authorized herein, including those necessary and incidental thereto. The district

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shall only exercise any of its powers extraterritorially within Collier County after execution of an interlocal agreement between the district and Collier County consenting to the district's exercise of any of such powers within Collier County or an applicable development order or as part of other land development regulations issued by Collier County.

(5) The exclusive charter of the Corkscrew Grove Stewardship District is this act and, except as otherwise provided in subsection (2), may be amended only by special act of the Legislature.

Section 4. Legal description of the Corkscrew Grove Stewardship District.—The metes and bounds legal description of the district, within which there are no parcels of property owned by those who do not wish their property to be included within the district, is as follows:

A PARCEL OF LAND LOCATED IN SECTIONS 03, 04, 05, 06, 07, 08, 09, 10, 15 AND 18, TOWNSHIP 46 SOUTH, RANGE 28 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AREA 1:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 04; THENCE RUN S.89°34'35"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, FOR A DISTANCE OF 2,601.08 FEET TO THE NORTHWEST CORNER OF

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520 THE NORTHEAST QUARTER OF SAID SECTION 04; THENCE RUN
521 N.89°49'18"E., ALONG THE NORTH LINE OF SAID NORTHEAST
522 QUARTER, FOR A DISTANCE OF 2,703.78 FEET TO THE
523 NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID
524 SECTION 03; THENCE RUN S.89°29'58"E., ALONG THE NORTH
525 LINE OF SAID NORTHWEST QUARTER, FOR A DISTANCE OF
526 2,641.45 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST
527 QUARTER OF SAID SECTION 03; THENCE RUN S.89°29'58"E.,
528 ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, FOR A
529 DISTANCE OF 2,641.44 FEET TO THE NORTHEAST CORNER OF
530 SAID NORTHEAST QUARTER; THENCE RUN S.00°35'20"E.,
531 ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, FOR A
532 DISTANCE OF 2,629.09 FEET TO THE NORTHEAST CORNER OF
533 THE SOUTHEAST QUARTER OF SAID SECTION 03; THENCE RUN
534 S.00°35'45"E., ALONG THE EAST LINE OF SAID SOUTHEAST
535 QUARTER, FOR A DISTANCE OF 1,532.89 FEET TO THE
536 NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 82 (A 200
537 FOOT RIGHT OF WAY), SAID POINT HEREINAFTER REFERRED TO
538 AS POINT "A"; THENCE RUN N.73°57'58"W., ALONG SAID
539 NORTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF
540 4,219.38 FEET TO A POINT ON SAID NORTHERLY RIGHT OF
541 WAY LINE HEREINAFTER REFERRED TO AS POINT "B"; THENCE
542 CONTINUE N.73°57'58"W., ALONG SAID NORTHERLY RIGHT OF
543 WAY LINE, FOR A DISTANCE OF 5,305.11 FEET TO A POINT
544 ON SAID NORTHERLY RIGHT OF WAY LINE HEREINAFTER

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545 REFERRED TO AS POINT "C"; THENCE CONTINUE
546 N.73°57'58"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
547 FOR A DISTANCE OF 1,511.79 TO THE WEST LINE OF SAID
548 NORTHWEST QUARTER OF SAID SECTION 04; THENCE RUN
549 N.01°10'09"W., ALONG SAID WEST LINE, FOR A DISTANCE OF
550 1,123.48 FEET; TO THE POINT OF BEGINNING.
551 LESS AND EXCEPT:
552 COMMENCE AT THE AFOREMENTIONED POINT "B"; THENCE RUN
553 N.16°02'02"E., FOR A DISTANCE OF 62.00 FEET TO THE
554 POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN
555 DESCRIBED; THENCE CONTINUE, N.16°02'02"E., FOR A
556 DISTANCE OF 39.22 FEET TO THE BEGINNING OF A
557 TANGENTIAL CURVE TO THE LEFT, THENCE RUN NORTHERLY,
558 ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A
559 RADIUS OF 647.96 FEET, THROUGH A CENTRAL ANGLE OF
560 16°37'00", SUBTENDED BY A CHORD DISTANCE OF 187.26
561 FEET, AT A BEARING OF N.07°43'32"E., FOR A DISTANCE OF
562 187.92 FEET TO THE END OF SAID CURVE; THENCE RUN,
563 N.00°34'58"W., A DISTANCE OF 191.27 FEET; THENCE RUN
564 S.89°25'02"W., FOR A DISTANCE OF 70.55 FEET; THENCE
565 RUN N.00°34'58"W., FOR A DISTANCE OF 40.00 FEET;
566 THENCE RUN N.89°25'02"E., FOR A DISTANCE OF 70.55
567 FEET; THENCE RUN N.00°34'58"W., FOR A DISTANCE OF
568 199.86 FEET; THENCE RUN N.89°20'29"E., FOR A DISTANCE
569 OF 239.66 FEET; THENCE RUN S.38°31'20"E., FOR A

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570 DISTANCE OF 143.21 FEET; THENCE RUN S.51°28'40"W., FOR
 571 A DISTANCE OF 52.80 FEET; THENCE RUN S.00°39'31"E.,
 572 FOR A DISTANCE OF 605.94 FEET; THENCE RUN
 573 N.73°58'04"W., FOR A DISTANCE OF 339.31 FEET TO THE
 574 POINT OF BEGINNING.
 575 ALSO LESS AND EXCEPT:
 576 COMMENCE AT THE AFOREMENTIONED POINT "C", THENCE RUN
 577 N.16°02'02"E., FOR A DISTANCE OF 73.00 FEET TO THE
 578 POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN
 579 DESCRIBED; THENCE CONTINUE N.16°02'02"E., FOR A
 580 DISTANCE OF 60.91 FEET; THENCE RUN N.01°02'21"W., FOR
 581 A DISTANCE OF 132.64 FEET; THENCE RUN N.88°57'41"E.,
 582 FOR A DISTANCE OF 234.50 FEET; THENCE RUN
 583 S.01°02'17"E., FOR A DISTANCE OF 268.38 FEET; THENCE
 584 RUN N.73°57'54"W., FOR A DISTANCE OF 264.01 FEET TO
 585 THE POINT OF BEGINNING.
 586 AND AREA 2:
 587 COMMENCE AT SAID NORTHWEST CORNER OF THE NORTHWEST
 588 QUARTER OF SAID SECTION 04; THENCE RUN S.89°58'53"W.,
 589 ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID
 590 SECTION 05, FOR A DISTANCE OF 2,655.24 FEET TO THE
 591 NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID
 592 SECTION 05; THENCE RUN S.89°59'22"W., ALONG THE NORTH
 593 LINE OF THE NORTHWEST QUARTER OF SAID SECTION 05, FOR
 594 A DISTANCE OF 1,950.13 FEET TO A POINT ON THE

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595 SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 82 (A
596 200 FOOT RIGHT OF WAY), AND THE POINT OF BEGINNING OF
597 THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN
598 S.73°57'58"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE,
599 FOR A DISTANCE OF 5,567.97 FEET; THENCE LEAVING SAID
600 SOUTHERLY RIGHT OF WAY LINE, RUN S.36°17'02"W., FOR A
601 DISTANCE OF 85.80 FEET; THENCE RUN N.73°57'58"W., FOR
602 A DISTANCE OF 327.44 FEET; THENCE RUN N.78°05'08"W.,
603 FOR A DISTANCE OF 96.93 FEET; THENCE RUN
604 S.00°02'23"W., FOR A DISTANCE OF 322.02 FEET; THENCE
605 RUN S.73°57'58"E., FOR A DISTANCE OF 218.62 FEET;
606 THENCE RUN S.36°17'02"W., FOR A DISTANCE OF 265.76
607 FEET; THENCE RUN S.53°42'58"E., FOR A DISTANCE OF
608 60.00 FEET; THENCE RUN N.36°17'02"E., FOR A DISTANCE
609 OF 711.07 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE;
610 THENCE RUN S.73°57'57"E., ALONG SAID SOUTHERLY RIGHT
611 OF WAY LINE, FOR A DISTANCE OF 3,151.52 FEET; THENCE
612 RUN S.16°02'02"W., FOR A DISTANCE OF 25.00 FEET;
613 THENCE RUN S.73°57'58"E., FOR A DISTANCE OF 464.76
614 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF CORKSCREW
615 ROAD (A 100 FOOT RIGHT OF WAY); THENCE RUN
616 S.20°51'56"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
617 FOR A DISTANCE OF 1,727.40 FEET TO THE BEGINNING OF A
618 TANGENTIAL CURVE TO THE RIGHT, THENCE RUN
619 SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE

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620 AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A
 621 RADIUS OF 1,859.86 FEET, THROUGH A CENTRAL ANGLE OF
 622 37°08'16", SUBTENDED BY A CHORD DISTANCE OF 1,184.52
 623 FEET, AT A BEARING OF S.39°26'04"W., FOR A DISTANCE OF
 624 1,205.52 FEET TO THE END OF SAID CURVE; THENCE RUN
 625 S.58°00'12"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
 626 FOR A DISTANCE OF 6,667.70 FEET TO THE BEGINNING OF A
 627 TANGENTIAL CURVE TO THE LEFT, THENCE RUN
 628 SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE
 629 AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A
 630 RADIUS OF 2,914.79 FEET, THROUGH A CENTRAL ANGLE OF
 631 10°45'18", SUBTENDED BY A CHORD DISTANCE OF 546.33
 632 FEET, AT A BEARING OF S.52°37'33"W., FOR A DISTANCE OF
 633 547.14 FEET TO THE END OF SAID CURVE; THENCE RUN
 634 S.47°14'54"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
 635 FOR A DISTANCE OF 5,800.34 FEET; THENCE RUN
 636 S.49°36'55"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
 637 FOR A DISTANCE OF 484.30 FEET; THENCE RUN
 638 S.47°14'54"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
 639 FOR A DISTANCE OF 1,526.83 FEET TO THE BEGINNING OF A
 640 TANGENTIAL CURVE TO THE RIGHT, THENCE RUN WESTERLY,
 641 ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE
 642 ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF
 643 904.93 FEET, THROUGH A CENTRAL ANGLE OF 42°19'05",
 644 SUBTENDED BY A CHORD DISTANCE OF 653.28 FEET, AT A

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645 BEARING OF S.68°24'26"W., FOR A DISTANCE OF 668.37
646 FEET TO THE END OF SAID CURVE; THENCE RUN
647 S.89°33'59"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE,
648 FOR A DISTANCE OF 996.61 FEET TO THE WEST LINE OF THE
649 NORTHWEST QUARTER OF SAID SECTION 18; THENCE RUN
650 N.00°39'16"W., ALONG SAID WEST LINE, FOR A DISTANCE OF
651 2,572.80 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST
652 QUARTER OF SAID SECTION 07; THENCE RUN N.00°25'09"W.,
653 ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, FOR A
654 DISTANCE OF 2,638.29 FEET TO THE SOUTHWEST CORNER OF
655 THE NORTHWEST QUARTER OF SAID SECTION 07; THENCE RUN
656 N.00°24'09"W., ALONG THE WEST LINE OF SAID NORTHWEST
657 QUARTER, FOR A DISTANCE OF 2,642.30 FEET TO THE
658 SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID
659 SECTION 06; THENCE RUN N.00°48'21"W., ALONG THE WEST
660 LINE OF SAID SECTION 06, FOR A DISTANCE OF 5,123.01
661 FEET; THENCE RUN S.84°55'35"E., FOR A DISTANCE OF
662 3,585.78 FEET; THENCE RUN N.01°07'40"W., FOR A
663 DISTANCE OF 1,837.49 FEET TO THE NORTH LINE OF THE
664 NORTHEAST QUARTER OF SAID SECTION 06; THENCE RUN
665 N.89°37'36"E., ALONG SAID NORTH LINE, FOR A DISTANCE
666 OF 1,831.47 FEET TO THE NORTHWEST CORNER OF THE
667 NORTHWEST QUARTER OF SAID SECTION 05; THENCE RUN
668 N.89°59'22"E., ALONG THE NORTH LINE OF SAID NORTHWEST

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669 QUARTER, FOR A DISTANCE OF 700.61 FEET TO THE POINT OF
670 BEGINNING.
671 AND AREA 3:
672 COMMENCE AT THE AFOREMENTIONED POINT "A", THENCE RUN
673 S.00°35'45"E., ALONG THE EAST LINE OF SAID SOUTHEAST
674 QUARTER OF SECTION 03, FOR A DISTANCE OF 208.73 FEET
675 TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID
676 STATE ROAD 82 (A 200 FOOT RIGHT OF WAY), THE SAME
677 BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND
678 HEREIN DESCRIBED; THENCE CONTINUE S.00°35'45"E., ALONG
679 SAID EAST LINE, FOR A DISTANCE OF 887.38 FEET TO THE
680 NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID
681 SECTION 10; THENCE RUN S.00°28'02"E., ALONG THE EAST
682 LINE OF SAID NORTHEAST QUARTER, FOR A DISTANCE OF
683 2,699.34 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST
684 QUARTER OF SAID SECTION 10; THENCE RUN S.00°28'13"E.,
685 ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, FOR A
686 DISTANCE OF 2,699.02 FEET TO THE NORTHEAST CORNER OF
687 SAID SECTION 15; THENCE RUN S.00°08'16"E., ALONG THE
688 EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF
689 4,277.12 FEET; THENCE RUN S.89°41'04"W., FOR A
690 DISTANCE OF 1,890.02 FEET; THENCE RUN N.00°08'15"W.,
691 FOR A DISTANCE OF 4,276.95 FEET TO THE NORTH LINE OF
692 SAID NORTHEAST QUARTER OF SECTION 15; THENCE RUN
693 N.55°11'37"W., FOR A DISTANCE OF 4,023.70 FEET; THENCE

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694 RUN N.00°08'20"W., FOR A DISTANCE OF 707.83 FEET;
695 THENCE RUN S.79°20'37"W., FOR A DISTANCE OF 1,604.70
696 FEET; THENCE RUN N.41°31'31"W., FOR A DISTANCE OF
697 1,675.17 FEET; THENCE RUN N.75°10'22"W., FOR A
698 DISTANCE OF 213.78 FEET; THENCE RUN S.14°49'38"W., FOR
699 A DISTANCE OF 726.00 FEET; THENCE RUN N.75°10'22"W.,
700 FOR A DISTANCE OF 758.28 FEET; THENCE RUN
701 N.55°37'02"W., FOR A DISTANCE OF 989.88 FEET; THENCE
702 RUN N.31°34'44"W., FOR A DISTANCE OF 86.46 FEET TO THE
703 SOUTHERLY RIGHT OF WAY LINE OF CORKSCREW ROAD (A 100
704 FOOT RIGHT OF WAY); THENCE RUN N.58°00'12"E., ALONG
705 SAID SOUTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF
706 2,531.39 FEET TO THE BEGINNING OF A TANGENTIAL CURVE
707 TO THE LEFT, THENCE RUN NORTHEASTERLY, ALONG SAID
708 SOUTHERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID
709 CURVE TO THE LEFT, HAVING A RADIUS OF 1,959.86 FEET,
710 THROUGH A CENTRAL ANGLE OF 37°08'16", SUBTENDED BY A
711 CHORD DISTANCE OF 1,248.21 FEET, AT A BEARING OF
712 N.39°26'04"E., FOR A DISTANCE OF 1,270.34 FEET TO THE
713 END OF SAID CURVE; THENCE RUN N.20°51'56"E., ALONG
714 SAID SOUTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF
715 1,760.94 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF
716 SAID STATE ROAD 82 (A 200 FOOT RIGHT OF WAY); THENCE
717 RUN S.73°57'58"E., ALONG SAID SOUTHERLY RIGHT OF WAY
718 LINE, FOR A DISTANCE OF 2,115.13 FEET TO A POINT

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719 HEREINAFTER REFERRED TO AS POINT "D"; THENCE CONTINUE
720 S.73°57'58"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE,
721 FOR A DISTANCE OF 4,388.36 FEET TO THE POINT OF
722 BEGINNING.
723 LESS AND EXCEPT:
724 COMMENCE AT THE AFOREMENTIONED POINT "D", THENCE RUN
725 S.16°02'02"W., FOR A DISTANCE OF 11.88 FEET TO THE
726 POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN
727 DESCRIBED; THENCE RUN S.31°00'02"W., FOR A DISTANCE OF
728 266.13 FEET; THENCE RUN S.58°59'58"E., FOR A DISTANCE
729 OF 15.00 FEET; THENCE RUN S.31°00'02"W., FOR A
730 DISTANCE OF 30.00 FEET; THENCE RUN N.58°59'58"W., FOR
731 A DISTANCE OF 15.00 FEET; THENCE RUN S.31°00'02"W.,
732 FOR A DISTANCE OF 52.82 FEET; THENCE RUN
733 N.73°57'58"W., FOR A DISTANCE OF 134.39 FEET; THENCE
734 RUN N.00°35'44"W., FOR A DISTANCE OF 327.71 FEET
735 THENCE RUN S.79°16'41"E., FOR A DISTANCE OF 74.78
736 FEET; THENCE RUN S.80°31'35"E., FOR A DISTANCE OF
737 61.84 FEET; THENCE RUN S.76°49'43"E., FOR A DISTANCE
738 OF 182.63 FEET TO THE POINT OF BEGINNING.
739 CONTAINING A TOTAL AREA OF 4,662.710 ACRES, MORE OR
740 LESS.
741 BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF THE
742 NORTHEAST QUARTER OF SECTION 03, TOWNSHIP 46 SOUTH,

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RANGE 28 EAST, COLLIER COUNTY, FLORIDA, HAVING A
BEARING OF S.89°29'58"E. SOUTH 89° 23' 32.

Being subject to any rights-of-way, restrictions, and easements
of record.

Section 5. Board of supervisors; members and meetings;
organization; powers; duties; terms of office; related election
requirements.—

(1) The board of the district shall exercise the powers
granted to the district pursuant to this act. The board shall
consist of five members, each of whom shall hold office for a
term of 4 years, as provided in this section, except as
otherwise provided herein for initial board members, and until a
successor is chosen and qualified. The members of the board must
be residents of the state and citizens of the United States.

(2) (a) Within 90 days after the effective date of this
act, there shall be held a meeting of the landowners of the
district for the purpose of electing five supervisors for the
district. Notice of the landowners' meeting shall be published
once a week for 2 consecutive weeks in a newspaper that is in
general circulation in the area of the district, the last day of
such publication to be not fewer than 14 days or more than 28
days before the date of the election. The landowners, when
assembled at such meeting, shall organize by electing a chair,
who shall conduct the meeting. The chair may be any person

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768 present at the meeting. If the chair is a landowner or proxy
769 holder of a landowner, he or she may nominate candidates and
770 make and second motions. The landowners present at the meeting,
771 in person or by proxy, shall constitute a quorum. At any
772 landowners' meeting, 50 percent of the district acreage shall
773 not be required to constitute a quorum, and each governing board
774 member elected by landowners shall be elected by a majority of
775 the acreage represented either by owner or proxy present and
776 voting at said meeting.

777 **(b)** At such meeting, each landowner shall be entitled to
778 cast one vote per acre of land owned by him or her and located
779 within the district for each person to be elected. A landowner
780 may vote in person or by proxy in writing. Each proxy must be
781 signed by one of the legal owners of the property for which the
782 vote is cast and must contain the typed or printed name of the
783 individual who signed the proxy; the street address, legal
784 description of the property, or tax parcel identification
785 number; and the number of authorized votes. If the proxy
786 authorizes more than one vote, each property must be listed and
787 the number of acres of each property must be included. The
788 signature on a proxy need not be notarized. A fraction of an
789 acre shall be treated as 1 acre, entitling the landowner to one
790 vote with respect thereto. The three candidates receiving the
791 highest number of votes shall each be elected for terms expiring
792 November 28, 2028, and the two candidates receiving the next

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793 highest number of votes shall each be elected for terms expiring
794 November 24, 2026, with the term of office for each successful
795 candidate commencing upon election. The members of the first
796 board elected by landowners shall serve their respective terms;
797 however, the next election of board members shall be held on the
798 first Tuesday after the first Monday in November 2026.

799 Thereafter, there shall be an election by landowners for the
800 district every 2 years on the first Tuesday after the first
801 Monday in November, which shall be noticed pursuant to paragraph
802 (a). The second and subsequent landowners' election shall be
803 announced at a public meeting of the board at least 90 days
804 before the date of the landowners' meeting and shall also be
805 noticed pursuant to paragraph (a). Instructions on how all
806 landowners may participate in the election, along with sample
807 proxies, shall be provided during the board meeting that
808 announces the landowners' meeting. Each supervisor elected in or
809 after November 2026 shall serve a 4-year term.

810 (3) (a) 1. The board may not exercise the ad valorem taxing
811 power authorized by this act until such time as all members of
812 the board are qualified electors who are elected by qualified
813 electors of the district.

814 2.a. Regardless of whether the district has proposed to
815 levy ad valorem taxes, board members shall begin being elected
816 by qualified electors of the district as the district becomes
817 populated with qualified electors. The transition shall occur

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818 such that the composition of the board, after the first general
819 election following a trigger of the qualified elector population
820 thresholds set forth below, shall be as follows:

821 (I) Once 3,600 qualified electors reside within the
822 district, one governing board member shall be a person who is a
823 qualified elector of the district and who was elected by the
824 qualified electors, and four governing board members shall be
825 persons who were elected by the landowners.

826 (II) Once 6,600 qualified electors reside within the
827 district, two governing board members shall be persons who are
828 qualified electors of the district and who were elected by the
829 qualified electors, and three governing board members shall be
830 persons elected who were by the landowners.

831 (III) Once 9,600 qualified electors reside within the
832 district, three governing board members shall be persons who are
833 qualified electors of the district and who were elected by the
834 qualified electors and two governing board members shall be
835 persons who were elected by the landowners.

836 (IV) Once 10,600 qualified electors reside within the
837 district, four governing board members shall be persons who are
838 qualified electors of the district and who were elected by the
839 qualified electors, and one governing board member shall be a
840 person who was elected by the landowners.

841 (V) Once 12,000 qualified electors reside within the
842 district, all five governing board members shall be persons who

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are qualified electors of the district and who were elected by
the qualified electors.

Nothing in this sub-subparagraph is intended to require an
election prior to the expiration of an existing board member's
term.

b. On or before June 1 of each election year, the board
shall determine the number of qualified electors in the district
as of the immediately preceding April 15. The board shall use
and rely upon the official records maintained by the supervisor
of elections and property appraiser or tax collector in Collier
County in making this determination. Such determination shall be
made at a properly noticed meeting of the board and shall become
a part of the official minutes of the district.

c. All governing board members elected by qualified
electors shall be elected at large at an election occurring as
provided in subsection (2) and this subsection.

d. All governing board members elected by qualified
electors shall reside in the district.

e. Once the district qualifies to have any of its board
members elected by the qualified electors of the district, the
initial and all subsequent elections by the qualified electors
of the district shall be held at the general election in
November. The board shall adopt a resolution, if necessary, to
implement this requirement. The transition process described

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herein is intended to be in lieu of the process set forth in s.
189.041, Florida Statutes.

(b) Elections of board members by qualified electors held pursuant to this subsection shall be nonpartisan and shall be conducted in the manner prescribed by law for holding general elections. Board members shall assume the office on the second Tuesday following their election.

(c) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with chapter 106, Florida Statutes, and shall file qualifying papers and qualify for individual seats in accordance with s. 99.061, Florida Statutes.

(d) The supervisor of elections shall appoint the inspectors and clerks of elections, prepare and furnish the ballots, designate polling places, and canvass the returns of the election of board members by qualified electors. The county canvassing board shall declare and certify the results of the election.

(4) Members of the board, regardless of how elected, shall be public officers, shall be known as supervisors, and, upon entering into office, shall take and subscribe to the oath of office as prescribed by s. 876.05, Florida Statutes. Members of the board shall be subject to ethics and conflict of interest laws of the state that apply to all local public officers. They shall hold office for the terms for which they were elected or

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893 appointed and until their successors are chosen and qualified.
894 If, during the term of office, a vacancy occurs, the remaining
895 members of the board shall fill each vacancy by an appointment
896 for the remainder of the unexpired term.

897 (5) Any elected member of the board of supervisors may be
898 removed by the Governor for malfeasance, misfeasance,
899 dishonesty, incompetency, or failure to perform the duties
900 imposed upon him or her by this act, and any vacancies that may
901 occur in such office for such reasons shall be filled by the
902 Governor as soon as practicable.

903 (6) A majority of the members of the board constitutes a
904 quorum for the purposes of conducting its business and
905 exercising its powers and for all other purposes. Action taken
906 by the district shall be upon a vote of a majority of the
907 members present unless general law or a rule of the district
908 requires a greater number.

909 (7) As soon as practicable after each election or
910 appointment, the board shall organize by electing one of its
911 members as chair and by electing a secretary, who need not be a
912 member of the board, and such other officers as the board may
913 deem necessary.

914 (8) The board shall keep a permanent record book entitled
915 "Record of Proceedings of Corkscrew Grove Stewardship District,"
916 in which shall be recorded minutes of all meetings, resolutions,
917 proceedings, certificates, bonds given by all employees, and any

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918 and all corporate acts. The record book and all other district
919 records shall at reasonable times be opened to inspection in the
920 same manner as state, county, and municipal records pursuant to
921 chapter 119, Florida Statutes. The record book shall be kept at
922 the office or other regular place of business maintained by the
923 board in a designated location in Collier County.

924 (9) No supervisor shall be entitled to receive
925 compensation for his or her services in excess of the limits
926 established in s. 190.006(8), Florida Statutes, or any successor
927 statute thereto; however, each supervisor shall receive travel
928 and per diem expenses as set forth in s. 112.061, Florida
929 Statutes.

930 (10) All meetings of the board shall be open to the public
931 and governed by chapter 286, Florida Statutes.

932 Section 6. Board of supervisors; general duties.—

933 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ
934 and fix the compensation of a district manager, who shall have
935 charge and supervision of the works of the district and shall be
936 responsible for preserving and maintaining any improvement or
937 facility constructed or erected pursuant of this act, for
938 maintaining and operating the equipment owned by the district,
939 and for performing such other duties as may be prescribed by the
940 board. It shall not be a conflict of interest or constitute an
941 abuse of public position under chapter 112, Florida Statutes,
942 for a board member, the district manager, or another employee of

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943 the district to be a stockholder, officer, or employee of a
944 landowner or an affiliate of a landowner. The district manager
945 may hire or otherwise employ and terminate the employment of
946 such other persons, including, without limitation, professional,
947 supervisory, and clerical employees, as may be necessary and
948 authorized by the board. The compensation and other conditions
949 of employment of the officers and employees of the district
950 shall be as provided by the board.

951 (2) TREASURER.—The board shall designate a person who is a
952 resident of the state as treasurer of the district, who shall
953 have charge of the funds of the district. Such funds shall be
954 disbursed only upon the order of or pursuant to a resolution of
955 the board by warrant or check countersigned by the treasurer and
956 by such other person as may be authorized by the board. The
957 board may give the treasurer such other or additional powers and
958 duties as the board may deem appropriate and may fix his or her
959 compensation. The board may require the treasurer to give a bond
960 in such amount, on such terms, and with such sureties as may be
961 deemed satisfactory to the board to secure the performance by
962 the treasurer of his or her powers and duties. The financial
963 records of the board shall be audited by an independent
964 certified public accountant in accordance with the requirements
965 of general law.

966 (3) PUBLIC DEPOSITORY.—The board is authorized to select
967 as a depository for its funds any qualified public depository as

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defined in s. 280.02, Florida Statutes, which meets all the requirements of chapter 280, Florida Statutes, and has been designated by the treasurer as a qualified public depository upon such terms and conditions as to the payment of interest by such depository upon the funds so deposited as the board may deem just and reasonable.

(4) BUDGET; REPORTS AND REVIEWS.—

(a) The district shall provide financial reports in such form and such manner as prescribed pursuant to this act and chapter 218, Florida Statutes, as amended from time to time.

(b) On or before July 15 of each year, the district manager shall prepare a proposed budget for the ensuing fiscal year to be submitted to the board for board approval. The proposed budget shall include at the direction of the board an estimate of all necessary expenditures of the district for the ensuing fiscal year and an estimate of income to the district from the taxes and assessments provided in this act. The board shall consider the proposed budget item by item and may either approve the budget as proposed by the district manager or modify the same in part or in whole. The board shall indicate its approval of the budget by resolution, which resolution shall provide for a hearing on the budget as approved. Notice of the hearing on the budget shall be published in a newspaper of general circulation in the area of the district once a week for 2 consecutive weeks, except that the first publication shall be

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no less than 15 days prior to the date of the hearing. The
notice shall further contain a designation of the day, time, and
place of the public hearing. At the time and place designated in
the notice, the board shall hear all objections to the budget as
proposed and may make such changes as the board deems necessary.
At the conclusion of the budget hearing, the board shall, by
resolution, adopt the budget as finally approved by the board.
The budget shall be adopted prior to October 1 of each year.

(c) At least 60 days prior to adoption, the board of
supervisors of the district shall submit to the Board of County
Commissioners of Collier County, for purposes of disclosure and
information only, the proposed annual budget for the ensuing
fiscal year, and the commission may submit written comments to
the board of supervisors solely for the assistance and
information of the board of supervisors of the district in
adopting its annual district budget.

(d) The board of supervisors of the district shall submit
annually a public facilities report to the Board of County
Commissioners of Collier County pursuant to Florida Statutes.
The commission may use and rely on the district's public
facilities report in the preparation or revision of the Collier
County comprehensive plan.

(5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
ACCESS.—The district shall take affirmative steps to provide for
the full disclosure of information relating to the public

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1018 financing and maintenance of improvements to real property
 1019 undertaken by the district. Such information shall be made
 1020 available to all existing residents and all prospective
 1021 residents of the district. The district shall furnish each
 1022 developer of a residential development within the district with
 1023 sufficient copies of that information to provide each
 1024 prospective initial purchaser of property in that development
 1025 with a copy; and any developer of a residential development
 1026 within the district, when required by law to provide a public
 1027 offering statement, shall include a copy of such information
 1028 relating to the public financing and maintenance of improvements
 1029 in the public offering statement. The district shall file the
 1030 disclosure documents required by this subsection and any
 1031 amendments thereto in the property records of each county in
 1032 which the district is located. By the end of the first full
 1033 fiscal year of the district's creation, the district shall
 1034 maintain an official Internet website in accordance with s.
 1035 189.069, Florida Statutes.

1036 (6) GENERAL POWERS.—The district shall have, and the board
 1037 may exercise, the following general powers:

1038 (a) To sue and be sued in the name of the district; to
 1039 adopt and use a seal and authorize the use of a facsimile
 1040 thereof; to acquire, by purchase, gift, devise, or otherwise,
 1041 and to dispose of, real and personal property, or any estate

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therein; and to make and execute contracts and other instruments
necessary or convenient to the exercise of its powers.

(b) To apply for coverage of its employees under the
Florida Retirement System in the same manner as if such
employees were state employees.

(c) To contract for the services of consultants to perform
planning, engineering, legal, or other appropriate services of a
professional nature. Such contracts shall be subject to public
bidding or competitive negotiation requirements as set forth in
general law applicable to independent special districts.

(d) To borrow money and accept gifts; to apply for and use
grants or loans of money or other property from the United
States, the state, a unit of local government, or any person for
any district purposes and enter into agreements required in
connection therewith; and to hold, use, and dispose of such
moneys or property for any district purposes in accordance with
the terms of the gift, grant, loan, or agreement relating
thereto.

(e) To adopt and enforce rules and orders pursuant to
chapter 120, Florida Statutes, prescribing the powers, duties,
and functions of the officers of the district; the conduct of
the business of the district; the maintenance of records; and
the form of certificates evidencing tax liens and all other
documents and records of the district. The board may also adopt
and enforce administrative rules with respect to any of the

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projects of the district and define the area to be included therein. The board may also adopt resolutions which may be necessary for the conduct of district business.

(f) To maintain an office at such place or places as the board of supervisors designates in Collier County and within the district when facilities are available.

(g) To hold, control, and acquire by donation, purchase, or condemnation, or dispose of, any public easements, dedications to public use, platted reservations for public purposes, or any reservations for those purposes authorized by this act and to make use of such easements, dedications, or reservations for the purposes authorized by this act.

(h) To lease as lessor or lessee to or from any person, firm, corporation, association, or body, public or private, any projects of the type that the district is authorized to undertake and facilities or property of any nature for the use of the district to carry out the purposes authorized by this act.

(i) To borrow money and issue bonds, certificates, warrants, notes, or other evidence of indebtedness as provided herein; to levy such taxes and assessments as may be authorized; and to charge, collect, and enforce fees and other user charges.

(j) To raise, by user charges or fees authorized by resolution of the board, amounts of money which are necessary for the conduct of district activities and services and to

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1092 enforce their receipt and collection in the manner prescribed by
1093 resolution not inconsistent with law.

1094 (k) To exercise all powers of eminent domain now or
1095 hereafter conferred on counties in this state, provided,
1096 however, that such power of eminent domain may not be exercised
1097 outside the territorial limits of the district unless the
1098 district receives prior approval by vote of a resolution of the
1099 governing body of the county if the taking will occur in an
1100 unincorporated area in that county, or the governing body of the
1101 city if the taking will occur in an incorporated area. The
1102 district shall not have the power to exercise eminent domain
1103 over municipal, county, state, or federal property. The powers
1104 hereinabove granted to the district shall be so construed to
1105 enable the district to fulfill the objects and purposes of the
1106 district as set forth in this act.

1107 (l) To cooperate with, or contract with, other
1108 governmental agencies as may be necessary, convenient,
1109 incidental, or proper in connection with any of the powers,
1110 duties, or purposes authorized by this act.

1111 (m) To assess and to impose upon lands in the district ad
1112 valorem taxes as provided by this act.

1113 (n) If and when authorized by general law, to determine,
1114 order, levy, impose, collect, and enforce maintenance taxes.

1115 (o) To determine, order, levy, impose, collect, and
1116 enforce assessments pursuant to this act and chapter 170,

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1117 Florida Statutes, as amended from time to time, pursuant to
1118 authority granted in s. 197.3631, Florida Statutes, or pursuant
1119 to other provisions of general law now or hereinafter enacted
1120 which provide or authorize a supplemental means to order, levy,
1121 impose, or collect special assessments. Such special
1122 assessments, in the discretion of the district, may be collected
1123 and enforced pursuant to ss. 197.3632 and 197.3635, Florida
1124 Statutes, and chapters 170 and 173, Florida Statutes, as they
1125 may be amended from time to time, or as provided by this act, or
1126 by other means authorized by general law now or hereinafter
1127 enacted. The district may levy such special assessments for the
1128 purposes enumerated in this act and to pay special assessments
1129 imposed by Collier County on lands within the district.

1130 (p) To exercise such special powers and other express
1131 powers as may be authorized and granted by this act in the
1132 charter of the district, including powers as provided in any
1133 interlocal agreement entered into pursuant to chapter 163,
1134 Florida Statutes, or which shall be required or permitted to be
1135 undertaken by the district pursuant to any development order,
1136 including any detailed specific area plan development order, or
1137 any interlocal service agreement with Collier County or other
1138 unit of government for fair-share capital construction funding
1139 for any certain capital facilities or systems required of a
1140 developer pursuant to any applicable development order or
1141 agreement.

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(g) To exercise all of the powers necessary, convenient, incidental, or proper in connection with any other powers or duties or the special and limited purpose of the district authorized by this act.

This subsection shall be construed liberally in order to carry out effectively the special and limited purpose of this act.

(7) SPECIAL POWERS.—The district shall have, and the board may exercise, the following special powers to implement its lawful and special purpose and to provide, pursuant to that purpose, systems, facilities, services, improvements, projects, works, and infrastructure, each of which constitutes a lawful public purpose when exercised pursuant to this charter, subject to, and not inconsistent with, general law regarding utility providers' territorial and service agreements, the regulatory jurisdiction and permitting authority of all other applicable governmental bodies, agencies, and any special districts having authority with respect to any area included therein, and to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, finance, fund, and maintain improvements, systems, facilities, services, works, projects, and infrastructure. If the district's special powers in paragraph (b) and the Immokalee Water and Sewer District's powers will cause unnecessary duplication of services and facilities, the district and the Immokalee Water and Sewer

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District shall enter into an interlocal agreement to avoid inefficiencies and jointly exercise their common powers and authority. Nothing herein shall preempt the powers and authority of the Immokalee Water and Sewer District. Any or all of the following special powers are granted by this act in order to implement the special and limited purpose of the district but do not constitute obligations to undertake such improvements, systems, facilities, services, works, projects, or infrastructure:

(a) To provide water management and control for the lands within the district, including irrigation systems and facilities, and to connect some or any of such facilities with roads and bridges. In the event that the board assumes the responsibility for providing water management and control for the district which is to be financed by benefit special assessments, the board shall adopt plans and assessments pursuant to law or may proceed to adopt water management and control plans, assess for benefits, and apportion and levy special assessments, as follows:

1. The board shall cause to be made by the district's engineer, or such other engineer or engineers as the board may employ for that purpose, complete and comprehensive water management and control plans for the lands located within the district that will be improved in any part or in whole by any system of facilities that may be outlined and adopted, and the

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1192 engineer shall make a report in writing to the board with maps
1193 and profiles of said surveys and an estimate of the cost of
1194 carrying out and completing the plans.

1195 2. Upon the completion of such plans, the board shall hold
1196 a hearing thereon to hear objections thereto, shall give notice
1197 of the time and place fixed for such hearing by publication once
1198 each week for 2 consecutive weeks in a newspaper of general
1199 circulation in the general area of the district, and shall
1200 permit the inspection of the plan at the office of the district
1201 by all persons interested. All objections to the plan shall be
1202 filed at or before the time fixed in the notice for the hearing
1203 and shall be in writing.

1204 3. After the hearing, the board shall consider the
1205 proposed plan and any objections thereto and may modify, reject,
1206 or adopt the plan or continue the hearing until a day certain
1207 for further consideration of the proposed plan or modifications
1208 thereof.

1209 4. When the board approves a plan, a resolution shall be
1210 adopted and a certified copy thereof shall be filed in the
1211 office of the secretary and incorporated by him or her into the
1212 records of the district.

1213 5. The water management and control plan may be altered in
1214 detail from time to time until the engineer's report pursuant to
1215 s. 298.301, Florida Statutes, is filed but not in such manner as
1216 to affect materially the conditions of its adoption. After the

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1217 engineer's report has been filed, no alteration of the plan
1218 shall be made, except as provided by this act.

1219 6. Within 20 days after the final adoption of the plan by
1220 the board, the board shall proceed pursuant to s. 298.301,
1221 Florida Statutes.

1222 (b) To provide, subject to the Immokalee Water and Sewer
1223 District's utility systems, water supply, sewer, wastewater, and
1224 reclaimed water management, reclamation, and reuse, or any
1225 combination thereof, and any irrigation systems, facilities, and
1226 services and to construct and operate water systems, sewer
1227 systems, irrigation systems, and reclaimed water systems such as
1228 connecting intercepting or outlet sewers and sewer mains and
1229 pipes and water mains, conduits, or pipelines in, along, and
1230 under any street, alley, highway, or other public place or ways,
1231 and to dispose of any water, effluent, residue, or other
1232 byproducts of such water system, sewer system, irrigation
1233 system, or reclaimed water system and to enter into interlocal
1234 agreements and other agreements with public or private entities
1235 for the same. Nothing herein shall permit the district to
1236 adversely impact the Immokalee Water and Sewer District's bond
1237 resolutions or covenants. The Immokalee Water and Sewer District
1238 and the district will work in good faith to address any such
1239 adverse impacts through an interlocal agreement or other means.

1240 (c) To provide bridges, culverts, wildlife corridors, or
1241 road crossings that may be needed across any drain, ditch,

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1242 canal, floodway, holding basin, excavation, public highway,
1243 tract, grade, fill, or cut and roadways over levees and
1244 embankments, and to construct any and all of such works and
1245 improvements across, through, or over any public right-of-way,
1246 highway, grade, fill, or cut.

1247 (d) To provide district or other roads equal to or
1248 exceeding the specifications of the county in which such
1249 district or other roads are located, and to provide street
1250 lights. This special power includes, but is not limited to,
1251 roads, parkways, intersections, bridges, landscaping,
1252 hardscaping, irrigation, bicycle lanes, sidewalks, jogging
1253 paths, multiuse pathways and trails, street lighting, traffic
1254 signals, regulatory or informational signage, road striping,
1255 underground conduit, underground cable or fiber or wire
1256 installed pursuant to an agreement with or tariff of a retail
1257 provider of services, and all other customary elements of a
1258 functioning modern road system in general or as tied to the
1259 conditions of development approval for the area within and
1260 without the district, and parking facilities that are
1261 freestanding or that may be related to any innovative strategic
1262 intermodal system of transportation pursuant to applicable
1263 federal, state, and local law and ordinance.

1264 (e) To provide buses, trolleys, rail access, mass transit
1265 facilities, transit shelters, ridesharing facilities and
1266 services, parking improvements, and related signage.

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1267 (f) To provide investigation and remediation costs
1268 associated with the cleanup of actual or perceived environmental
1269 contamination within the district under the supervision or
1270 direction of a competent governmental authority unless the
1271 covered costs benefit any person who is a landowner within the
1272 district and who caused or contributed to the contamination.

1273 (g) To provide observation areas, mitigation areas,
1274 wetland creation areas, and wildlife habitat, including the
1275 maintenance of any plant or animal species, and any related
1276 interest in real or personal property.

1277 (h) Using its general and special powers as set forth in
1278 this act, to provide any other project within or without the
1279 boundaries of the district when the project is the subject of an
1280 agreement between the district and the Board of County
1281 Commissioners of Collier County or with any other applicable
1282 public or private entity, and is not inconsistent with the
1283 effective local comprehensive plans.

1284 (i) To provide parks and facilities for indoor and outdoor
1285 recreational, cultural, and educational uses.

1286 (j) To provide school buildings and related structures,
1287 which may be leased, sold, or donated to the school district,
1288 for use in the educational system when authorized by the
1289 district school board.

1290 (k) To provide security, including electronic intrusion-
1291 detection systems and patrol vehicles, when authorized by proper

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governmental agencies, and to contract with the appropriate
local general-purpose government agencies for an increased level
of such services within the district boundaries. However, this
paragraph does not prohibit the district from contracting with a
towing operator to remove a vehicle or vessel from a district-
owned facility or property if the district follows the
authorization and notice and procedural requirements in s.
715.07, Florida Statutes, for an owner or lessee of private
property. The district's selection of a towing operator is not
subject to public bidding if the towing operator is included in
an approved list of tow operators maintained by the local
government that has jurisdiction over the district's facility or
property.

(l) To provide control and elimination of mosquitoes and
other arthropods of public health importance.

(m) To enter into impact fee, mobility fee, or other
similar credit agreements with Collier County or other
governmental bodies or a landowner developer and to sell or
assign such credits, on such terms as the district deems
appropriate.

(n) To provide buildings and structures for district
offices, maintenance facilities, meeting facilities, town
centers, stadiums, or any other project authorized or granted by
this act.

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1316 (o) To establish and create, at noticed meetings, such
1317 departments of the board of supervisors of the district, as well
1318 as committees, task forces, boards, or commissions, or other
1319 agencies under the supervision and control of the district, as
1320 from time to time the members of the board may deem necessary or
1321 desirable in the performance of the acts or other things
1322 necessary to exercise the board's general or special powers to
1323 implement an innovative project to carry out the special and
1324 limited purpose of the district as provided in this act and to
1325 delegate the exercise of its powers to such departments, boards,
1326 task forces, committees, or other agencies, and such
1327 administrative duties and other powers as the board may deem
1328 necessary or desirable, but only if there is a set of expressed
1329 limitations for accountability, notice, and periodic written
1330 reporting to the board that shall retain the powers of the
1331 board.

1332 (p) To provide electrical, sustainable, or green
1333 infrastructure improvements, facilities, and services,
1334 including, but not limited to, recycling of natural resources,
1335 reduction of energy demands, development and generation of
1336 alternative or renewable energy sources and technologies,
1337 mitigation of urban heat islands, sequestration, capping or
1338 trading of carbon emissions or carbon emissions credits, LEED or
1339 Florida Green Building Coalition certification, and development
1340 of facilities and improvements for low-impact development and to

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1341 enter into joint ventures, public-private partnerships, and
1342 other agreements and to grant such easements as may be necessary
1343 to accomplish the foregoing. Nothing herein shall authorize the
1344 district to provide electric service to retail customers or
1345 otherwise act to impair electric utility franchise agreements.

1346 (q) To provide for any facilities or improvements that may
1347 otherwise be provided for by any county or municipality,
1348 including, but not limited to, libraries, annexes, substations,
1349 and other buildings to house public officials, staff, and
1350 employees.

1351 (r) To provide waste collection and disposal.

1352 (s) To provide for the construction and operation of
1353 communications systems and related infrastructure for the
1354 carriage and distribution of communications services, and to
1355 enter into joint ventures, public-private partnerships, and
1356 other agreements and to grant such easements as may be necessary
1357 to accomplish the foregoing. The term "communications systems"
1358 means all facilities, buildings, equipment, items, and methods
1359 necessary or desirable in order to provide communications
1360 services, including, without limitation, wires, cables,
1361 conduits, wireless cell sites, computers, modems, satellite
1362 antennae sites, transmission facilities, network facilities, and
1363 appurtenant devices necessary and appropriate to support the
1364 provision of communications services. The term "communications
1365 services" includes, without limitation, Internet, voice

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1366 telephone or similar services provided by voiceover Internet
1367 protocol, cable television, data transmission services,
1368 electronic security monitoring services, and multichannel video
1369 programming distribution services. Nothing herein shall
1370 authorize the district to provide communications services to
1371 retail customers or otherwise act to impair existing service
1372 provider franchise agreements, though the district may contract
1373 with such providers for resale purposes.

1374 (t) To provide health care facilities and to enter into
1375 public-private partnerships and agreements as may be necessary
1376 to accomplish the foregoing.

1377 (u) To coordinate, work with, and, as the board deems
1378 appropriate, enter into interlocal agreements with any public or
1379 private entity for the provision of an institution or
1380 institutions of higher education.

1381 (v) To coordinate, work with, and as the board deems
1382 appropriate, enter into public-private partnerships and
1383 agreements as may be necessary or useful to effectuate the
1384 purposes of this act.

1385
1386 The enumeration of special powers herein shall not be deemed
1387 exclusive or restrictive but shall be deemed to incorporate all
1388 powers express or implied necessary or incidental to carrying
1389 out such enumerated special powers, including also the general
1390 powers provided by this special act charter to the district to

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1391 implement its purposes. Further, this subsection shall be
1392 construed liberally in order to carry out effectively the
1393 special and limited purpose of this district under this act.

1394 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
1395 the other powers provided for in this act, and not in limitation
1396 thereof, the district shall have the power, at any time and from
1397 time to time after the issuance of any bonds of the district
1398 shall have been authorized, to borrow money for the purposes for
1399 which such bonds are to be issued in anticipation of the receipt
1400 of the proceeds of the sale of such bonds and to issue bond
1401 anticipation notes in a principal sum not in excess of the
1402 authorized maximum amount of such bond issue. Such notes shall
1403 be in such denomination or denominations, bear interest at such
1404 rate not to exceed the maximum rate allowed by general law,
1405 mature at such time or times not later than 5 years from the
1406 date of issuance, and be in such form and executed in such
1407 manner as the board shall prescribe. Such notes may be sold at
1408 either public or private sale or, if such notes shall be renewal
1409 notes, may be exchanged for notes then outstanding on such terms
1410 as the board shall determine. Such notes shall be paid from the
1411 proceeds of such bonds when issued. The board may, in its
1412 discretion, in lieu of retiring the notes by means of bonds,
1413 retire them by means of current revenues or from any taxes or
1414 assessments levied for the payment of such bonds, but, in such

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1415 event, a like amount of the bonds authorized shall not be
1416 issued.

1417 (9) BORROWING.—The district at any time may obtain loans,
1418 in such amount and on such terms and conditions as the board may
1419 approve, for the purpose of paying any of the expenses of the
1420 district or any costs incurred or that may be incurred in
1421 connection with any of the projects of the district, which loans
1422 shall bear interest as the board determines, not to exceed the
1423 maximum rate allowed by general law, and may be payable from and
1424 secured by a pledge of such funds, revenues, taxes, and
1425 assessments as the board may determine, subject, however, to the
1426 provisions contained in any proceeding under which bonds were
1427 theretofore issued and are then outstanding. For the purpose of
1428 defraying such costs and expenses, the district may issue
1429 negotiable notes, warrants, or other evidences of debt to be
1430 payable at such times and to bear such interest as the board may
1431 determine, not to exceed the maximum rate allowed by general
1432 law, and to be sold or discounted at such price or prices not
1433 less than 95 percent of par value and on such terms as the board
1434 may deem advisable. The board shall have the right to provide
1435 for the payment thereof by pledging the whole or any part of the
1436 funds, revenues, taxes, and assessments of the district or by
1437 covenanting to budget and appropriate from such funds. The
1438 approval of the electors residing in the district shall not be
1439 necessary except when required by the State Constitution.

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1440 (10) BONDS.—

1441 (a) Sale of bonds.—Bonds may be sold in blocks or
1442 installments at different times, or an entire issue or series
1443 may be sold at one time. Bonds may be sold at public or private
1444 sale after such advertisement, if any, as the board may deem
1445 advisable, but not in any event at less than 90 percent of the
1446 par value thereof, together with accrued interest thereon. Bonds
1447 may be sold or exchanged for refunding bonds. Special assessment
1448 and revenue bonds may be delivered by the district as payment of
1449 the purchase price of any project or part thereof, or a
1450 combination of projects or parts thereof, or as the purchase
1451 price or exchange for any property, real, personal, or mixed,
1452 including franchises or services rendered by any contractor,
1453 engineer, or other person, all at one time or in blocks from
1454 time to time, in such manner and upon such terms as the board in
1455 its discretion shall determine. The price or prices for any
1456 bonds sold, exchanged, or delivered may be:

1457 1. The money paid for the bonds.

1458 2. The principal amount, plus accrued interest to the date
1459 of redemption or exchange, or outstanding obligations exchanged
1460 for refunding bonds.

1461 3. In the case of special assessment or revenue bonds, the
1462 amount of any indebtedness to contractors or other persons paid
1463 with such bonds, or the fair value of any properties exchanged
1464 for the bonds, as determined by the board.

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1465 (b) Authorization and form of bonds.—Any general
1466 obligation bonds, special assessment bonds, or revenue bonds may
1467 be authorized by resolution or resolutions of the board which
1468 shall be adopted by a majority of all the members thereof then
1469 in office. Such resolution or resolutions may be adopted at the
1470 same meeting at which they are introduced and need not be
1471 published or posted. The board may, by resolution, authorize the
1472 issuance of bonds and fix the aggregate amount of bonds to be
1473 issued; the purpose or purposes for which the moneys derived
1474 therefrom shall be expended, including, but not limited to,
1475 payment of costs as defined in section 2(2)(h); the rate or
1476 rates of interest, not to exceed the maximum rate allowed by
1477 general law; the denomination of the bonds; whether or not the
1478 bonds are to be issued in one or more series; the date or dates
1479 of maturity, which shall not exceed 40 years from their
1480 respective dates of issuance; the medium of payment; the place
1481 or places within or without the state at which payment shall be
1482 made; registration privileges; redemption terms and privileges,
1483 whether with or without premium; the manner of execution; the
1484 form of the bonds, including any interest coupons to be attached
1485 thereto; the manner of execution of bonds and coupons; and any
1486 and all other terms, covenants, and conditions thereof and the
1487 establishment of revenue or other funds. Such authorizing
1488 resolution or resolutions may further provide for the contracts
1489 authorized by s. 159.825(1)(f) and (g), Florida Statutes,

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1490 regardless of the tax treatment of such bonds being authorized,
1491 subject to the finding by the board of a net saving to the
1492 district resulting by reason thereof. Such authorizing
1493 resolution may further provide that such bonds may be executed
1494 in accordance with the Registered Public Obligations Act, except
1495 that bonds not issued in registered form shall be valid if
1496 manually countersigned by an officer designated by appropriate
1497 resolution of the board. The seal of the district may be
1498 affixed, lithographed, engraved, or otherwise reproduced in
1499 facsimile on such bonds. In case any officer whose signature
1500 shall appear on any bonds or coupons shall cease to be such
1501 officer before the delivery of such bonds, such signature or
1502 facsimile shall nevertheless be valid and sufficient for all
1503 purposes the same as if he or she had remained in office until
1504 such delivery.

1505 (c) Interim certificates; replacement certificates.—
1506 Pending the preparation of definitive bonds, the board may issue
1507 interim certificates or receipts or temporary bonds, in such
1508 form and with such provisions as the board may determine,
1509 exchangeable for definitive bonds when such bonds have been
1510 executed and are available for delivery. The board may also
1511 provide for the replacement of any bonds which become mutilated,
1512 lost, or destroyed.

1513 (d) Negotiability of bonds.—Any bond issued under this act
1514 or any temporary bond, in the absence of an express recital on

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1515 the face thereof that it is nonnegotiable, shall be fully
1516 negotiable and shall be and constitute a negotiable instrument
1517 within the meaning and for all purposes of the law merchant and
1518 the laws of the state.

1519 (e) Defeasance.—The board may make such provision with
1520 respect to the defeasance of the right, title, and interest of
1521 the holders of any of the bonds and obligations of the district
1522 in any revenues, funds, or other properties by which such bonds
1523 are secured as the board deems appropriate and, without
1524 limitation on the foregoing, may provide that when such bonds or
1525 obligations become due and payable or shall have been called for
1526 redemption and the whole amount of the principal and interest
1527 and premium, if any, due and payable upon the bonds or
1528 obligations then outstanding shall be held in trust for such
1529 purpose, and provision shall also be made for paying all other
1530 sums payable in connection with such bonds or other obligations,
1531 then and in such event the right, title, and interest of the
1532 holders of the bonds in any revenues, funds, or other properties
1533 by which such bonds are secured shall thereupon cease,
1534 terminate, and become void; and the board may apply any surplus
1535 in any sinking fund established in connection with such bonds or
1536 obligations and all balances remaining in all other funds or
1537 accounts other than moneys held for the redemption or payment of
1538 the bonds or other obligations to any lawful purpose of the
1539 district as the board shall determine.

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1540 (f) Issuance of additional bonds.—If the proceeds of any
1541 bonds are less than the cost of completing the project in
1542 connection with which such bonds were issued, the board may
1543 authorize the issuance of additional bonds, upon such terms and
1544 conditions as the board may provide in the resolution
1545 authorizing the issuance thereof, but only in compliance with
1546 the resolution or other proceedings authorizing the issuance of
1547 the original bonds.

1548 (g) Refunding bonds.—The district shall have the power to
1549 issue bonds to provide for the retirement or refunding of any
1550 bonds or obligations of the district that at the time of such
1551 issuance are or subsequent thereto become due and payable, or
1552 that at the time of issuance have been called or are, or will
1553 be, subject to call for redemption within 10 years thereafter,
1554 or the surrender of which can be procured from the holders
1555 thereof at prices satisfactory to the board. Refunding bonds may
1556 be issued at any time that in the judgment of the board such
1557 issuance will be advantageous to the district. No approval of
1558 the qualified electors residing in the district shall be
1559 required for the issuance of refunding bonds except in cases in
1560 which such approval is required by the State Constitution. The
1561 board may by resolution confer upon the holders of such
1562 refunding bonds all rights, powers, and remedies to which the
1563 holders would be entitled if they continued to be the owners and
1564 had possession of the bonds for the refinancing of which such

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1565 refunding bonds are issued, including, but not limited to, the
1566 preservation of the lien of such bonds on the revenues of any
1567 project or on pledged funds, without extinguishment, impairment,
1568 or diminution thereof. The provisions of this act pertaining to
1569 bonds of the district shall, unless the context otherwise
1570 requires, govern the issuance of refunding bonds, the form and
1571 other details thereof, the rights of the holders thereof, and
1572 the duties of the board with respect thereto.

1573 (h) Revenue bonds.—

1574 1. The district shall have the power to issue revenue
1575 bonds from time to time without limitation as to amount. Such
1576 revenue bonds may be secured by, or payable from, the gross or
1577 net pledge of the revenues to be derived from any project or
1578 combination of projects; from the rates, fees, or other charges
1579 to be collected from the users of any project or projects; from
1580 any revenue-producing undertaking or activity of the district;
1581 from special assessments; from benefit special assessments; or
1582 from any other source or pledged security. Such bonds shall not
1583 constitute an indebtedness of the district, and the approval of
1584 the qualified electors shall not be required unless such bonds
1585 are additionally secured by the full faith and credit and taxing
1586 power of the district.

1587 2. Any two or more projects may be combined and
1588 consolidated into a single project and may hereafter be operated
1589 and maintained as a single project. The revenue bonds authorized

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1590 herein may be issued to finance any one or more of such
1591 projects, regardless of whether such projects have been combined
1592 and consolidated into a single project. If the board deems it
1593 advisable, the proceedings authorizing such revenue bonds may
1594 provide that the district may thereafter combine the projects
1595 then being financed or theretofore financed with other projects
1596 to be subsequently financed by the district and that revenue
1597 bonds to be thereafter issued by the district shall be on parity
1598 with the revenue bonds then being issued, all on such terms,
1599 conditions, and limitations as shall have been provided in the
1600 proceeding which authorized the original bonds.

1601 (i) General obligation bonds.—

1602 1. Subject to the limitations of this charter, the
1603 district shall have the power from time to time to issue general
1604 obligation bonds to finance or refinance capital projects or to
1605 refund outstanding bonds in an aggregate principal amount of
1606 bonds outstanding at any one time not in excess of 35 percent of
1607 the assessed value of the taxable property within the district
1608 as shown on the pertinent tax records at the time of the
1609 authorization of the general obligation bonds for which the full
1610 faith and credit of the district is pledged. Except for
1611 refunding bonds, no general obligation bonds shall be issued
1612 unless the bonds are issued to finance or refinance a capital
1613 project and the issuance has been approved at an election held
1614 in accordance with the requirements for such election as

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1615 prescribed by the State Constitution. Such elections shall be
1616 called to be held in the district by the Board of County
1617 Commissioners of Collier County upon the request of the board of
1618 the district. The expenses of calling and holding an election
1619 shall be at the expense of the district and the district shall
1620 reimburse the county for any expenses incurred in calling or
1621 holding such election.

1622 2. The district may pledge its full faith and credit for
1623 the payment of the principal and interest on such general
1624 obligation bonds and for any reserve funds provided therefor and
1625 may unconditionally and irrevocably pledge itself to levy ad
1626 valorem taxes on all taxable property in the district, to the
1627 extent necessary for the payment thereof, without limitation as
1628 to rate or amount.

1629 3. If the board determines to issue general obligation
1630 bonds for more than one capital project, the approval of the
1631 issuance of the bonds for each and all such projects may be
1632 submitted to the electors on one and the same ballot. The
1633 failure of the electors to approve the issuance of bonds for any
1634 one or more capital projects shall not defeat the approval of
1635 bonds for any capital project which has been approved by the
1636 electors.

1637 4. In arriving at the amount of general obligation bonds
1638 permitted to be outstanding at any one time pursuant to

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subparagraph 1., there shall not be included any general obligation bonds that are additionally secured by the pledge of:

a. Any assessments levied in an amount sufficient to pay the principal and interest on the general obligation bonds so additionally secured, which assessments have been equalized and confirmed by resolution of the board pursuant to this act or s. 170.08, Florida Statutes.

b. Water revenues, sewer revenues, or water and sewer revenues of the district to be derived from user fees in an amount sufficient to pay the principal and interest on the general obligation bonds so additionally secured.

c. Any combination of assessments and revenues described in sub-subparagraphs a. and b.

(j) Bonds as legal investment or security.—

1. Notwithstanding any provisions of any other law to the contrary, all bonds issued under this act shall constitute legal investments for savings banks, banks, trust companies, insurance companies, executors, administrators, trustees, guardians, and other fiduciaries and for any board, body, agency, instrumentality, county, municipality, or other political subdivision of the state and shall be and constitute security which may be deposited by banks or trust companies as security for deposits of state, county, municipal, or other public funds or by insurance companies as required or voluntary statutory deposits.

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1664 2. Any bonds issued by the district shall be incontestable
1665 in the hands of bona fide purchasers or holders for value and
1666 shall not be invalid because of any irregularity or defect in
1667 the proceedings for the issue and sale thereof.

1668 (k) Covenants.—Any resolution authorizing the issuance of
1669 bonds may contain such covenants as the board may deem
1670 advisable, and all such covenants shall constitute valid and
1671 legally binding and enforceable contracts between the district
1672 and the bondholders, regardless of the time of issuance thereof.
1673 Such covenants may include, without limitation, covenants
1674 concerning the disposition of the bond proceeds; the use and
1675 disposition of project revenues; the pledging of revenues,
1676 taxes, and assessments; the obligations of the district with
1677 respect to the operation of the project and the maintenance of
1678 adequate project revenues; the issuance of additional bonds; the
1679 appointment, powers, and duties of trustees and receivers; the
1680 acquisition of outstanding bonds and obligations; restrictions
1681 on the establishing of competing projects or facilities;
1682 restrictions on the sale or disposal of the assets and property
1683 of the district; the priority of assessment liens; the priority
1684 of claims by bondholders on the taxing power of the district;
1685 the maintenance of deposits to ensure the payment of revenues by
1686 users of district facilities and services; the discontinuance of
1687 district services by reason of delinquent payments; acceleration
1688 upon default; the execution of necessary instruments; the

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1689 procedure for amending or abrogating covenants with the
1690 bondholders; and such other covenants as may be deemed necessary
1691 or desirable for the security of the bondholders.

1692 (l) Validation proceedings.—The power of the district to
1693 issue bonds under this act may be determined, and any of the
1694 bonds of the district maturing over a period of more than 5
1695 years shall be validated and confirmed, by court decree, under
1696 chapter 75, Florida Statutes, and laws amendatory thereof or
1697 supplementary thereto.

1698 (m) Tax exemption.—To the extent allowed by general law,
1699 all bonds issued hereunder and interest paid thereon and all
1700 fees, charges, and other revenues derived by the district from
1701 the projects provided by this act are exempt from all taxes by
1702 the state or by any political subdivision, agency, or
1703 instrumentality thereof; however, any interest, income, or
1704 profits on debt obligations issued hereunder are not exempt from
1705 the tax imposed by chapter 220, Florida Statutes. Further, the
1706 district is not exempt from chapter 212, Florida Statutes.

1707 (n) Application of s. 189.051, Florida Statutes.—Bonds
1708 issued by the district shall meet the criteria set forth in s.
1709 189.051, Florida Statutes.

1710 (o) Act furnishes full authority for issuance of bonds.—
1711 This act constitutes full and complete authority for the
1712 issuance of bonds and the exercise of the powers of the district
1713 provided herein. No procedures or proceedings, publications,

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1714 notices, consents, approvals, orders, acts, or things by the
1715 board, or any board, officer, commission, department, agency, or
1716 instrumentality of the district, other than those required by
1717 this act, shall be required to perform anything under this act,
1718 except that the issuance or sale of bonds pursuant to this act
1719 shall comply with the general law requirements applicable to the
1720 issuance or sale of bonds by the district. Nothing in this act
1721 shall be construed to authorize the district to utilize bond
1722 proceeds to fund the ongoing operations of the district.

1723 (p) Pledge by the state to the bondholders of the
1724 district.—The state pledges to the holders of any bonds issued
1725 under this act that it will not limit or alter the rights of the
1726 district to own, acquire, construct, reconstruct, improve,
1727 maintain, operate, or furnish the projects or to levy and
1728 collect the taxes, assessments, rentals, rates, fees, and other
1729 charges provided for herein and to fulfill the terms of any
1730 agreement made with the holders of such bonds or other
1731 obligations and that it will not in any way impair the rights or
1732 remedies of such holders.

1733 (q) Default.—A default on the bonds or obligations of the
1734 district shall not constitute a debt or obligation of the state
1735 or any general-purpose local government of the state. In the
1736 event of a default or dissolution of the district, no general-
1737 purpose local government shall be required to assume the
1738 property of the district, the debts of the district, or the

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1739 district's obligations to complete any infrastructure
1740 improvements or provide any services to the district. The
1741 provisions of s. 189.076(2), Florida Statutes, shall not apply
1742 to the district.

1743 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1744 by a trust agreement or resolution by and between the district
1745 and a corporate trustee or trustees, which may be any trust
1746 company or bank having the powers of a trust company within or
1747 without the state. The resolution authorizing the issuance of
1748 the bonds or such trust agreement may pledge the revenues to be
1749 received from any projects of the district and may contain such
1750 provisions for protecting and enforcing the rights and remedies
1751 of the bondholders as the board may approve, including, without
1752 limitation, covenants setting forth the duties of the district
1753 in relation to: the acquisition, construction, reconstruction,
1754 improvement, maintenance, repair, operation, and insurance of
1755 any projects; the fixing and revising of the rates, fees, and
1756 charges; and the custody, safeguarding, and application of all
1757 moneys and for the employment of consulting engineers in
1758 connection with such acquisition, construction, reconstruction,
1759 improvement, maintenance, repair, or operation. It shall be
1760 lawful for any bank or trust company within or without the state
1761 which may act as a depository of the proceeds of bonds or of
1762 revenues to furnish such indemnifying bonds or to pledge such
1763 securities as may be required by the district. Such resolution

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1764 or trust agreement may set forth the rights and remedies of the
1765 bondholders and of the trustee, if any, and may restrict the
1766 individual right of action by bondholders. The board may provide
1767 for the payment of proceeds of the sale of the bonds and the
1768 revenues of any project to such officer, board, or depository as
1769 it may designate for the custody thereof and may provide for the
1770 method of disbursement thereof with such safeguards and
1771 restrictions as it may determine. All expenses incurred in
1772 carrying out the provisions of such resolution or trust
1773 agreement may be treated as part of the cost of operation of the
1774 project to which such resolution or trust agreement pertains.

1775 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
1776 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
1777 ASSESSMENTS; MAINTENANCE TAXES.—

1778 (a) Ad valorem taxes.—At such time as all members of the
1779 board are qualified electors who are elected by qualified
1780 electors of the district, the board shall have the power to levy
1781 and assess an ad valorem tax on all the taxable property in the
1782 district to construct, operate, and maintain assessable
1783 improvements; to pay the principal of, and interest on, any
1784 general obligation bonds of the district; and to provide for any
1785 sinking or other funds established in connection with any such
1786 bonds. An ad valorem tax levied by the board for operating
1787 purposes, exclusive of debt service on bonds, shall not exceed 3
1788 mills. The ad valorem tax provided for herein shall be in

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1789 addition to county and all other ad valorem taxes provided for
1790 by law. Such tax shall be assessed, levied, and collected in the
1791 same manner and at the same time as county taxes. The levy of ad
1792 valorem taxes must be approved by referendum as required by s.
1793 9, Article VII of the State Constitution and held at a general
1794 election.

1795 (b) Benefit special assessments.—The board annually shall
1796 determine, order, and levy the annual installment of the total
1797 benefit special assessments for bonds issued and related
1798 expenses to finance assessable improvements. These assessments
1799 may be due and collected during each year county taxes are due
1800 and collected, in which case such annual installment and levy
1801 shall be evidenced to and certified to the property appraiser by
1802 the board not later than August 31 of each year. Such assessment
1803 shall be entered by the property appraiser on the county tax
1804 rolls and shall be collected and enforced by the tax collector
1805 in the same manner and at the same time as county taxes, and the
1806 proceeds thereof shall be paid to the district. However, this
1807 paragraph shall not prohibit the district in its discretion from
1808 using the method prescribed in s. 197.3632, Florida Statutes, or
1809 chapter 173, Florida Statutes, as each may be amended from time
1810 to time, for collecting and enforcing these assessments. Each
1811 annual installment of benefit special assessments shall be a
1812 lien on the property against which assessed until paid and shall
1813 be enforceable in like manner as county taxes. The amount of the

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1814 assessment for the exercise of the district's powers under
1815 subsections (6) and (7) shall be determined by the board based
1816 upon a report of the district's engineer and assessed by the
1817 board upon such lands, which may be part or all of the lands
1818 within the district benefited by the improvement, apportioned
1819 between benefited lands in proportion to the benefits received
1820 by each tract of land. The board may, if it determines it is in
1821 the best interests of the district, set forth in the proceedings
1822 initially levying such benefit special assessments or in
1823 subsequent proceedings a formula for the determination of an
1824 amount, which when paid by a taxpayer with respect to any tax
1825 parcel shall constitute a prepayment of all future annual
1826 installments of such benefit special assessments and that the
1827 payment of which amount with respect to such tax parcel shall
1828 relieve and discharge such tax parcel of the lien of such
1829 benefit special assessments and any subsequent annual
1830 installment thereof. The board may provide further that upon
1831 delinquency in the payment of any annual installment of benefit
1832 special assessments, the prepayment amount of all future annual
1833 installments of benefit special assessments as determined in the
1834 preceding sentence shall be and become immediately due and
1835 payable together with such delinquent annual installment.

1836 (c) Non-ad valorem maintenance taxes.—If and when
1837 authorized by general law, to maintain and to preserve the
1838 physical facilities and services constituting the works,

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1839 improvements, or infrastructure owned by the district pursuant
1840 to this act, to repair and restore any one or more of them, when
1841 needed, and to defray the current expenses of the district,
1842 including any sum which may be required to pay state and county
1843 ad valorem taxes on any lands which may have been purchased and
1844 which are held by the district under this act, the board of
1845 supervisors may, upon the completion of said systems,
1846 facilities, services, works, improvements, or infrastructure, in
1847 whole or in part, as may be certified to the board by the
1848 engineer of the board, levy annually a non-ad valorem and
1849 nonmillage tax upon each tract or parcel of land within the
1850 district, to be known as a "maintenance tax." This non-ad
1851 valorem maintenance tax shall be apportioned upon the basis of
1852 the net assessments of benefits assessed as accruing from the
1853 original construction and shall be evidenced to and certified by
1854 the board of supervisors of the district not later than June 1
1855 of each year to the Collier County tax collector and shall be
1856 extended on the tax rolls and collected by the tax collector on
1857 the merged collection roll of the tax collector in the same
1858 manner and at the same time as county ad valorem taxes, and the
1859 proceeds therefrom shall be paid to the district. This non-ad
1860 valorem maintenance tax shall be a lien until paid on the
1861 property against which assessed and enforceable in like manner
1862 and of the same dignity as county ad valorem taxes.

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1863 (d) Maintenance special assessments.—To maintain and
1864 preserve the facilities and projects of the district, the board
1865 may levy a maintenance special assessment. This assessment may
1866 be evidenced to and certified to the tax collector by the board
1867 of supervisors not later than August 31 of each year and shall
1868 be entered by the property appraiser on the county tax rolls and
1869 shall be collected and enforced by the tax collector in the same
1870 manner and at the same time as county taxes, and the proceeds
1871 therefrom shall be paid to the district. However, this paragraph
1872 shall not prohibit the district in its discretion from using the
1873 method prescribed in s. 197.363, s. 197.3631, or s. 197.3632,
1874 Florida Statutes, for collecting and enforcing these
1875 assessments. These maintenance special assessments shall be a
1876 lien on the property against which assessed until paid and shall
1877 be enforceable in like manner as county taxes. The amount of the
1878 maintenance special assessment for the exercise of the
1879 district's powers under this section shall be determined by the
1880 board based upon a report of the district's engineer and
1881 assessed by the board upon such lands, which may be all of the
1882 lands within the district benefited by the maintenance thereof,
1883 apportioned between the benefited lands in proportion to the
1884 benefits received by each tract of land.

1885 (e) Special assessments.—The board may levy and impose any
1886 special assessments pursuant to this subsection.

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1887 (f) Enforcement of taxes.—The collection and enforcement
1888 of all taxes levied by the district shall be at the same time
1889 and in like manner as county taxes, and the provisions of the
1890 laws of Florida relating to the sale of lands for unpaid and
1891 delinquent county taxes; the issuance, sale, and delivery of tax
1892 certificates for such unpaid and delinquent county taxes; the
1893 redemption thereof; the issuance to individuals of tax deeds
1894 based thereon; and all other procedures in connection therewith
1895 shall be applicable to the district to the same extent as if
1896 such statutory provisions were expressly set forth herein. All
1897 taxes shall be subject to the same discounts as county taxes.

1898 (g) When unpaid tax is delinquent; penalty.—All taxes
1899 provided for in this act shall become delinquent and bear
1900 penalties on the amount of such taxes in the same manner as
1901 county taxes.

1902 (h) Status of assessments.—Benefit special assessments,
1903 maintenance special assessments, and special assessments are
1904 hereby found and determined to be non-ad valorem assessments as
1905 defined by s. 197.3632, Florida Statutes. Maintenance taxes are
1906 non-ad valorem taxes and are not special assessments.

1907 (i) Assessments constitute liens; collection.—Any and all
1908 assessments, including special assessments, benefit special
1909 assessments, and maintenance special assessments authorized by
1910 this section, and including special assessments as defined by
1911 section 2(2)(aa) and granted and authorized by this subsection,

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1912 and including maintenance taxes if authorized by general law,
1913 shall constitute a lien on the property against which assessed
1914 from the date of levy and imposition thereof until paid, coequal
1915 with the lien of state, county, municipal, and school board
1916 taxes. These assessments may be collected, at the district's
1917 discretion, under authority of s. 197.3631, Florida Statutes, as
1918 amended from time to time, by the tax collector pursuant to ss.
1919 197.3632 and 197.3635, Florida Statutes, as amended from time to
1920 time, or in accordance with other collection measures provided
1921 by law. In addition to, and not in limitation of, any powers
1922 otherwise set forth herein or in general law, these assessments
1923 may also be enforced pursuant to chapter 173, Florida Statutes,
1924 as amended from time to time.

1925 (j) Land owned by governmental entity.—Except as otherwise
1926 provided by law, no levy of ad valorem taxes or non-ad valorem
1927 assessments under this act or chapter 170 or chapter 197,
1928 Florida Statutes, as each may be amended from time to time, or
1929 otherwise, by a board of the district, on property of a
1930 governmental entity that is subject to a ground lease as
1931 described in s. 190.003(14), Florida Statutes, shall constitute
1932 a lien or encumbrance on the underlying fee interest of such
1933 governmental entity.

1934 (13) SPECIAL ASSESSMENTS.—

1935 (a) As an alternative method to the levy and imposition of
1936 special assessments pursuant to chapter 170, Florida Statutes,

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pursuant to the authority of s. 197.3631, Florida Statutes, or
pursuant to other provisions of general law, now or hereafter
enacted, which provide a supplemental means or authority to
impose, levy, and collect special assessments as otherwise
authorized under this act, the board may levy and impose special
assessments to finance the exercise of any of its powers
permitted under this act using the following uniform procedures:

1. At a noticed meeting, the board of supervisors of the
district may consider and review an engineer's report on the
costs of the systems, facilities, and services to be provided, a
preliminary special assessment methodology, and a preliminary
roll based on acreage or platted lands, depending upon whether
platting has occurred.

a. The special assessment methodology shall address and
discuss and the board shall consider whether the systems,
facilities, and services being contemplated will result in
special benefits peculiar to the property, different in kind and
degree than general benefits, as a logical connection between
the systems, facilities, and services themselves and the
property, and whether the duty to pay the special assessments by
the property owners is apportioned in a manner that is fair and
equitable and not in excess of the special benefit received. It
shall be fair and equitable to designate a fixed proportion of
the annual debt service, together with interest thereon, on the
aggregate principal amount of bonds issued to finance such

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systems, facilities, and services which give rise to unique, special, and peculiar benefits to property of the same or similar characteristics under the special assessment methodology so long as such fixed proportion does not exceed the unique, special, and peculiar benefits enjoyed by such property from such systems, facilities, and services.

b. The engineer's cost report shall identify the nature of the proposed systems, facilities, and services, their location, a cost breakdown plus a total estimated cost, including cost of construction or reconstruction, labor, and materials, lands, property, rights, easements, franchises, or systems, facilities, and services to be acquired, cost of plans and specifications, surveys of estimates of costs and revenues, costs of engineering, legal, and other professional consultation services, and other expenses or costs necessary or incidental to determining the feasibility or practicability of such construction, reconstruction, or acquisition, administrative expenses, relationship to the authority and power of the district in its charter, and such other expenses or costs as may be necessary or incidental to the financing to be authorized by the board of supervisors.

c. The preliminary special assessment roll will be in accordance with the assessment methodology as may be adopted by the board of supervisors; the special assessment roll shall be completed as promptly as possible and shall show the acreage,

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lots, lands, or plats assessed and the amount of the fairly and reasonably apportioned assessment based on special and peculiar benefit to the property, lot, parcel, or acreage of land; and, if the special assessment against such lot, parcel, acreage, or portion of land is to be paid in installments, the number of annual installments in which the special assessment is divided shall be entered into and shown upon the special assessment roll.

2. The board of supervisors of the district may determine and declare by an initial special assessment resolution to levy and assess the special assessments with respect to assessable improvements stating the nature of the systems, facilities, and services, improvements, projects, or infrastructure constituting such assessable improvements, the information in the engineer's cost report, the information in the special assessment methodology as determined by the board at the noticed meeting and referencing and incorporating as part of the resolution the engineer's cost report, the preliminary special assessment methodology, and the preliminary special assessment roll as referenced exhibits to the resolution by reference. If the board determines to declare and levy the special assessments by the initial special assessment resolution, the board shall also adopt and declare a notice resolution which shall provide and cause the initial special assessment resolution to be published once a week for a period of 2 weeks in newspapers of general

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2012 circulation published in Collier County and said board shall by
 2013 the same resolution fix a time and place at which the owner or
 2014 owners of the property to be assessed or any other persons
 2015 interested therein may appear before said board and be heard as
 2016 to the propriety and advisability of making such improvements,
 2017 as to the costs thereof, as to the manner of payment therefor,
 2018 and as to the amount thereof to be assessed against each
 2019 property so improved. Thirty days' notice in writing of such
 2020 time and place shall be given to such property owners. The
 2021 notice shall include the amount of the special assessment and
 2022 shall be served by mailing a copy to each assessed property
 2023 owner at his or her last known address, the names and addresses
 2024 of such property owners to be obtained from the record of the
 2025 property appraiser of the county political subdivision in which
 2026 the land is located or from such other sources as the district
 2027 manager or engineer deems reliable, and proof of such mailing
 2028 shall be made by the affidavit of the district manager or by the
 2029 engineer, said proof to be filed with the district manager,
 2030 provided that failure to mail said notice or notices shall not
 2031 invalidate any of the proceedings hereunder. It is provided
 2032 further that the last publication shall be at least 1 week prior
 2033 to the date of the hearing on the final special assessment
 2034 resolution. Said notice shall describe the general areas to be
 2035 improved and advise all persons interested that the description
 2036 of each property to be assessed and the amount to be assessed to

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each piece, parcel, lot, or acre of property may be ascertained at the office of the district manager. Such service by publication shall be verified by the affidavit of the publisher and filed with the district manager. Moreover, the initial special assessment resolution with its attached, referenced, and incorporated engineer's cost report, preliminary special assessment methodology, and preliminary special assessment roll, along with the notice resolution, shall be available for public inspection at the office of the district manager and the office of the engineer or any other office designated by the board of supervisors in the notice resolution. Notwithstanding the foregoing, the landowners of all of the property which is proposed to be assessed may give the district written notice of waiver of any notice and publication provided for in this subparagraph and such notice and publication shall not be required, provided, however, that any meeting of the board of supervisors to consider such resolution shall be a publicly noticed meeting.

3. At the time and place named in the noticed resolution as provided for in subparagraph 2., the board of supervisors of the district shall meet and hear testimony from affected property owners as to the propriety and advisability of making the systems, facilities, services, projects, works, improvements, or infrastructure and funding them with assessments referenced in the initial special assessment

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resolution on the property. Following the testimony and
questions from the members of the board or any professional
advisors to the district of the preparers of the engineer's cost
report, the special assessment methodology, and the special
assessment roll, the board of supervisors shall make a final
decision on whether to levy and assess the particular special
assessments. Thereafter, the board of supervisors shall meet as
an equalizing board to hear and to consider any and all
complaints as to the particular special assessments and shall
adjust and equalize the special assessments to ensure proper
assessment based on the benefit conferred on the property.

4. When so equalized and approved by resolution or
ordinance by the board of supervisors, to be called the final
special assessment resolution, a final special assessment roll
shall be filed with the clerk of the board and such special
assessment shall stand confirmed and remain legal, valid, and
binding first liens on the property against which such special
assessments are made until paid, equal in dignity to the first
liens of ad valorem taxation of county and municipal governments
and school boards. However, upon completion of the systems,
facilities, services, projects, improvements, works, or
infrastructure, the district shall credit to each of the
assessments the difference in the special assessment as
originally made, approved, levied, assessed, and confirmed and
the proportionate part of the actual cost of the improvement to

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2087 be paid by the particular special assessments as finally
2088 determined upon the completion of the improvement; but in no
2089 event shall the final special assessment exceed the amount of
2090 the special and peculiar benefits as apportioned fairly and
2091 reasonably to the property from the system, facility, or service
2092 being provided as originally assessed. Promptly after such
2093 confirmation, the special assessment shall be recorded by the
2094 clerk of the district in the minutes of the proceedings of the
2095 district, and the record of the lien in this set of minutes
2096 shall constitute prima facie evidence of its validity. The board
2097 of supervisors, in its sole discretion, may by resolution grant
2098 a discount equal to all or a part of the payee's proportionate
2099 share of the cost of the project consisting of bond financing
2100 cost, such as capitalized interest, funded reserves, and bond
2101 discounts included in the estimated cost of the project, upon
2102 payment in full of any special assessments during such period
2103 prior to the time such financing costs are incurred as may be
2104 specified by the board of supervisors in such resolution.

2105 5. District special assessments may be made payable in
2106 installments over no more than 40 years from the date of the
2107 payment of the first installment thereof and may bear interest
2108 at fixed or variable rates.

2109 (b) Notwithstanding any provision of this act or chapter
2110 170, Florida Statutes, that portion of s. 170.09, Florida
2111 Statutes, that provides that special assessments may be paid

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2112 without interest at any time within 30 days after the
2113 improvement is completed and a resolution accepting the same has
2114 been adopted by the governing authority shall not be applicable
2115 to any district special assessments, whether imposed, levied,
2116 and collected pursuant to this act or other provisions of
2117 Florida law, including, but not limited to, chapter 170, Florida
2118 Statutes.

2119 (c) In addition, the district is authorized expressly in
2120 the exercise of its rulemaking power to adopt a rule or rules
2121 which provide for notice, levy, imposition, equalization, and
2122 collection of assessments.

2123 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
2124 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2125 (a) The board may, after any special assessments or
2126 benefit special assessments for assessable improvements are
2127 made, determined, and confirmed as provided in this act, issue
2128 certificates of indebtedness for the amount so assessed against
2129 the abutting property or property otherwise benefited, as the
2130 case may be, and separate certificates shall be issued against
2131 each part or parcel of land or property assessed, which
2132 certificates shall state the general nature of the improvement
2133 for which the assessment is made. The certificates shall be
2134 payable in annual installments in accordance with the
2135 installments of the special assessment for which they are
2136 issued. The board may determine the interest to be borne by such

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certificates, not to exceed the maximum rate allowed by general law, and may sell such certificates at either private or public sale and determine the form, manner of execution, and other details of such certificates. The certificates shall recite that they are payable only from the special assessments levied and collected from the part or parcel of land or property against which they are issued. The proceeds of such certificates may be pledged for the payment of principal of and interest on any revenue bonds or general obligation bonds issued to finance in whole or in part such assessable improvement, or, if not so pledged, may be used to pay the cost or part of the cost of such assessable improvements.

(b) The district may also issue assessment bonds, revenue bonds, or other obligations payable from a special fund into which such certificates of indebtedness referred to in paragraph (a) may be deposited or, if such certificates of indebtedness have not been issued, the district may assign to such special fund for the benefit of the holders of such assessment bonds or other obligations, or to a trustee for such bondholders, the assessment liens provided for in this act unless such certificates of indebtedness or assessment liens have been theretofore pledged for any bonds or other obligations authorized hereunder. In the event of the creation of such special fund and the issuance of such assessment bonds or other obligations, the proceeds of such certificates of indebtedness

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2162 or assessment liens deposited therein shall be used only for the
2163 payment of the assessment bonds or other obligations issued as
2164 provided in this section. The district is authorized to covenant
2165 with the holders of such assessment bonds, revenue bonds, or
2166 other obligations that it will diligently and faithfully enforce
2167 and collect all the special assessments, and interest and
2168 penalties thereon, for which such certificates of indebtedness
2169 or assessment liens have been deposited in or assigned to such
2170 fund; to foreclose such assessment liens so assigned to such
2171 special fund or represented by the certificates of indebtedness
2172 deposited in the special fund, after such assessment liens have
2173 become delinquent, and deposit the proceeds derived from such
2174 foreclosure, including interest and penalties, in such special
2175 fund; and to make any other covenants deemed necessary or
2176 advisable in order to properly secure the holders of such
2177 assessment bonds or other obligations.

2178 (c) The assessment bonds, revenue bonds, or other
2179 obligations issued pursuant to this section shall have such
2180 dates of issue and maturity as shall be deemed advisable by the
2181 board; however, the maturities of such assessment bonds or other
2182 obligations shall not be more than 2 years after the due date of
2183 the last installment which will be payable on any of the special
2184 assessments for which such assessment liens, or the certificates
2185 of indebtedness representing such assessment liens, are assigned
2186 to or deposited in such special fund.

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2187 (d) Such assessment bonds, revenue bonds, or other
2188 obligations issued under this section shall bear such interest
2189 as the board may determine, not to exceed the maximum rate
2190 allowed by general law, and shall be executed, shall have such
2191 provisions for redemption prior to maturity, shall be sold in
2192 the manner, and shall be subject to all of the applicable
2193 provisions contained in this act for revenue bonds, except as
2194 the same may be inconsistent with this section.

2195 (e) All assessment bonds, revenue bonds, or other
2196 obligations issued under this section shall be, shall
2197 constitute, and shall have all the qualities and incidents of
2198 negotiable instruments under the law merchant and the laws of
2199 the state.

2200 (15) TAX LIENS.—All taxes of the district provided for in
2201 this act, together with all penalties for default in the payment
2202 of the same and all costs in collecting the same, including a
2203 reasonable attorney fee fixed by the court and taxed as a cost
2204 in the action brought to enforce payment, shall, from January 1
2205 for each year the property is liable to assessment and until
2206 paid, constitute a lien of equal dignity with the liens for
2207 state and county taxes and other taxes of equal dignity with
2208 state and county taxes upon all the lands against which such
2209 taxes shall be levied. A sale of any of the real property within
2210 the district for state and county or other taxes shall not
2211 operate to relieve or release the property so sold from the lien

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2212 for subsequent district taxes or installments of district taxes,
2213 which lien may be enforced against such property as though no
2214 such sale thereof had been made. In addition to, and not in
2215 limitation of, the preceding sentence, for purposes of s.
2216 197.552, Florida Statutes, the lien of all special assessments
2217 levied by the district shall constitute a lien of record held by
2218 a municipal or county governmental unit. The provisions of ss.
2219 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall
2220 be applicable to district taxes with the same force and effect
2221 as if such provisions were expressly set forth in this act.

2222 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
2223 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.—

2224 (a) The district shall have the power and right to:

2225 1. Pay any delinquent state, county, district, municipal,
2226 or other tax or assessment upon lands located wholly or
2227 partially within the boundaries of the district.

2228 2. Redeem or purchase any tax sales certificates issued or
2229 sold on account of any state, county, district, municipal, or
2230 other taxes or assessments upon lands located wholly or
2231 partially within the boundaries of the district.

2232 (b) Delinquent taxes paid, or tax sales certificates
2233 redeemed or purchased, by the district, together with all
2234 penalties for the default in payment of the same and all costs
2235 in collecting the same and a reasonable attorney fee, shall
2236 constitute a lien in favor of the district of equal dignity with

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2237 the liens of state and county taxes and other taxes of equal
2238 dignity with state and county taxes upon all the real property
2239 against which the taxes were levied. The lien of the district
2240 may be foreclosed in the manner provided in this act.

2241 (c) In any sale of land pursuant to s. 197.542, Florida
2242 Statutes, as may be amended from time to time, the district may
2243 certify to the clerk of the circuit court of the county holding
2244 such sale the amount of taxes due to the district upon the lands
2245 sought to be sold, and the district shall share in the
2246 disbursement of the sales proceeds in accordance with this act
2247 and under the laws of the state.

2248 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
2249 district arising under this act may be foreclosed by the
2250 district by foreclosure proceedings in the name of the district
2251 in a court of competent jurisdiction as provided by general law
2252 in like manner as is provided in chapter 170 or chapter 173,
2253 Florida Statutes, and amendments thereto, and the provisions of
2254 those chapters shall be applicable to such proceedings with the
2255 same force and effect as if those provisions were expressly set
2256 forth in this act. Any act required or authorized to be done by
2257 or on behalf of a municipality in foreclosure proceedings under
2258 chapter 170 or chapter 173, Florida Statutes, may be performed
2259 by such officer or agent of the district as the board of
2260 supervisors may designate. Such foreclosure proceedings may be
2261 brought at any time after the expiration of 1 year from the date

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any tax, or installment thereof, becomes delinquent; however, no lien shall be foreclosed against any political subdivision or agency of the state. Other legal remedies shall remain available.

(18) MANDATORY USE OF CERTAIN DISTRICT FACILITIES.—To the full extent permitted by law, the district shall require all lands, buildings, premises, persons, firms, and corporations within the district to use the facilities of the district.

(19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED PROVISIONS REQUIRED.—

(a) No contract shall be let by the board for any goods, supplies, or materials to be purchased when the amount thereof to be paid by the district shall exceed the amount provided in s. 287.017, Florida Statutes, as amended from time to time, for category four, unless notice of bids shall be advertised once in a newspaper in general circulation in Collier County. Any board seeking to construct or improve a public building, structure, or other public works shall comply with the bidding procedures of s. 255.20, Florida Statutes, as amended from time to time, and other applicable general law. In each case, the bid of the lowest responsive and responsible bidder shall be accepted unless all bids are rejected because the bids are too high or the board determines it is in the best interests of the district to reject all bids. The board may require the bidders to furnish bond with a responsible surety to be approved by the board.

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2287 Nothing in this subsection shall prevent the board from
2288 undertaking and performing the construction, operation, and
2289 maintenance of any project or facility authorized by this act by
2290 the employment of labor, material, and machinery.

2291 (b) The provisions of the Consultants' Competitive
2292 Negotiation Act, s. 287.055, Florida Statutes, apply to
2293 contracts for engineering, architecture, landscape architecture,
2294 or registered surveying and mapping services let by the board.

2295 (c) Contracts for maintenance services for any district
2296 facility or project shall be subject to competitive bidding
2297 requirements when the amount thereof to be paid by the district
2298 exceeds the amount provided in s. 287.017, Florida Statutes, as
2299 amended from time to time, for category four. The district shall
2300 adopt rules, policies, or procedures establishing competitive
2301 bidding procedures for maintenance services. Contracts for other
2302 services shall not be subject to competitive bidding unless the
2303 district adopts a rule, policy, or procedure applying
2304 competitive bidding procedures to said contracts. Nothing herein
2305 shall preclude the use of requests for proposal instead of
2306 invitations to bid as determined by the district to be in its
2307 best interest.

2308 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
2309 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2310 (a) The district is authorized to prescribe, fix,
2311 establish, and collect rates, fees, rentals, or other charges,

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hereinafter sometimes referred to as "revenues," and to revise the same from time to time, for the systems, facilities, and services furnished by the district, including, but not limited to, recreational facilities, water management and control facilities, and water and sewer systems; to recover the costs of making connection with any district service, facility, or system; and to provide for reasonable penalties against any user or property for any such rates, fees, rentals, or other charges that are delinquent.

(b) No such rates, fees, rentals, or other charges for any of the facilities or services of the district shall be fixed until after a public hearing at which all the users of the proposed facility or services or owners, tenants, or occupants served or to be served thereby and all other interested persons shall have an opportunity to be heard concerning the proposed rates, fees, rentals, or other charges. Rates, fees, rentals, and other charges shall be adopted under the administrative rulemaking authority of the district, but shall not apply to district leases. Notice of such public hearing setting forth the proposed schedule or schedules of rates, fees, rentals, and other charges shall have been published in a newspaper of general circulation in Collier County at least once and at least 10 days prior to such public hearing. The rulemaking hearing may be adjourned from time to time. After such hearing, such schedule or schedules, either as initially proposed or as

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2337 modified or amended, may be finally adopted. A copy of the
2338 schedule or schedules of such rates, fees, rentals, or charges
2339 as finally adopted shall be kept on file in an office designated
2340 by the board and shall be open at all reasonable times to public
2341 inspection. The rates, fees, rentals, or charges so fixed for
2342 any class of users or property served shall be extended to cover
2343 any additional users or properties thereafter served which shall
2344 fall in the same class, without the necessity of any notice or
2345 hearing.

2346 (c) Such rates, fees, rentals, and other charges shall be
2347 just and equitable and uniform for users of the same class, and
2348 when appropriate may be based or computed either upon the amount
2349 of service furnished, upon the average number of persons
2350 residing or working in or otherwise occupying the premises
2351 served, or upon any other factor affecting the use of the
2352 facilities furnished, or upon any combination of the foregoing
2353 factors, as may be determined by the board on an equitable
2354 basis.

2355 (d) The rates, fees, rentals, or other charges prescribed
2356 shall be such as will produce revenues, together with any other
2357 assessments, taxes, revenues, or funds available or pledged for
2358 such purpose, at least sufficient to provide for the items
2359 hereinafter listed, but not necessarily in the order stated:

2360 1. To provide for all expenses of operation and
2361 maintenance of such facility or service.

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2. To pay when due all bonds and interest thereon for the payment of which such revenues are, or shall have been, pledged or encumbered, including reserves for such purpose.

3. To provide for any other funds which may be required under the resolution or resolutions authorizing the issuance of bonds pursuant to this act.

(e) The board shall have the power to enter into contracts for the use of the projects of the district and with respect to the services, systems, and facilities furnished or to be furnished by the district.

(21) RECOVERY OF DELINQUENT CHARGES.—In the event that any rates, fees, rentals, charges, or delinquent penalties are not paid when due and are in default for 60 days or more, the unpaid balance thereof and all interest accrued thereon, together with reasonable attorney fees and costs, may be recovered by the district in a civil action.

(22) DISCONTINUANCE OF SERVICE.—In the event the fees, rentals, or other charges for district services or facilities are not paid when due, the board shall have the power, under such reasonable rules and regulations as the board may adopt, to discontinue and shut off such services until such fees, rentals, or other charges, including interest, penalties, and charges for the shutting off and discontinuance and the restoration of such services, are fully paid; and, for such purposes, the board may enter on any lands, waters, or premises of any person, firm,

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2387 corporation, or body, public or private, within the district
2388 limits. Such delinquent fees, rentals, or other charges,
2389 together with interest, penalties, and charges for the shutting
2390 off and discontinuance and the restoration of such services and
2391 facilities and reasonable attorney fees and other expenses, may
2392 be recovered by the district, which may also enforce payment of
2393 such delinquent fees, rentals, or other charges by any other
2394 lawful method of enforcement.

2395 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2396 person may have recourse to such remedies in law and at equity
2397 as may be necessary to ensure compliance with this act,
2398 including injunctive relief to enjoin or restrain any person
2399 violating this act or any bylaws, resolutions, regulations,
2400 rules, codes, or orders adopted under this act. In case any
2401 building or structure is erected, constructed, reconstructed,
2402 altered, repaired, converted, or maintained, or any building,
2403 structure, land, or water is used, in violation of this act or
2404 of any code, order, resolution, or other regulation made under
2405 authority conferred by this act or under law, the board or any
2406 citizen residing in the district may institute any appropriate
2407 action or proceeding to prevent such unlawful erection,
2408 construction, reconstruction, alteration, repair, conversion,
2409 maintenance, or use; to restrain, correct, or avoid such
2410 violation; to prevent the occupancy of such building, structure,

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land, or water; and to prevent any illegal act, conduct,
business, or use in or about such premises, land, or water.

(24) SUITS AGAINST THE DISTRICT.—Any suit or action
brought or maintained against the district for damages arising
out of tort, including, without limitation, any claim arising
upon account of an act causing an injury or loss of property,
personal injury, or death, shall be subject to the limitations
provided in s. 768.28, Florida Statutes.

(25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
district property shall be exempt from levy and sale by virtue
of an execution, and no execution or other judicial process
shall issue against such property, nor shall any judgment
against the district be a charge or lien on its property or
revenues; however, nothing contained herein shall apply to or
limit the rights of bondholders to pursue any remedy for the
enforcement of any lien or pledge given by the district in
connection with any of the bonds or obligations of the district.

(26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

(a) The board of supervisors of the district shall not ask
the Legislature to repeal or amend this act to expand or to
contract the boundaries of the district or otherwise cause the
merger or termination of the district without first obtaining a
resolution or official statement from Collier County as required
by s. 189.031(2)(e)4., Florida Statutes, for creation of an
independent special district. The district's consent may be

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2436 evidenced by a resolution or other official written statement of
2437 the district.

2438 (b) The district shall remain in existence until:

2439 1. The district is terminated and dissolved pursuant to
2440 amendment to this act by the Legislature.

2441 2. The district has become inactive pursuant to s.
2442 189.062, Florida Statutes.

2443 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS. The
2444 district may merge with one or more community development
2445 districts situated wholly within its boundaries. The district
2446 shall be the surviving entity of the merger. Any mergers shall
2447 commence upon each such community development district filing a
2448 written request for merger with the district. A copy of the
2449 written request shall also be filed with Collier County. The
2450 district, subject to the direction of its board of supervisors,
2451 shall enter into a merger agreement which shall provide for the
2452 proper allocation of debt, the manner in which such debt shall
2453 be retired, the transition of the community development district
2454 board, and the transfer of all financial obligations and
2455 operating and maintenance responsibilities to the district. The
2456 execution of the merger agreement by the district and each
2457 community development district constitutes consent of the
2458 landowners within each district. The district and each community
2459 development district requesting merger shall hold a public
2460 hearing within its boundaries to provide information about and

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2461 take public comment on the proposed merger in the merger
2462 agreement. The public hearing shall be held within 45 days after
2463 the initial consideration and approval of the merger agreement
2464 by all parties thereto. Notice of the public hearing shall be
2465 published at least 14 days before the hearing in a newspaper of
2466 general circulation in Collier County. At the conclusion of the
2467 public hearing, each district shall consider a resolution either
2468 approving or disapproving the proposed merger. If the district
2469 and each community development district which is a party to the
2470 merger agreement adopt a resolution approving the proposed
2471 merger, the resolutions and the executed merger agreement shall
2472 be filed with Collier County. Upon receipt of the resolutions
2473 approving the merger and the merger agreement, Collier County
2474 shall adopt a nonemergency ordinance dissolving each community
2475 development district pursuant to s. 190.046(10), Florida
2476 Statutes.

2477 (28) INCLUSION OF TERRITORY.—The inclusion of any or all
2478 territory of the district within a municipality does not change,
2479 alter, or affect the boundary, territory, existence, or
2480 jurisdiction of the district.

2481 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2482 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2483 district under this act, each contract for the initial sale of a
2484 parcel of real property and each contract for the initial sale
2485 of a residential unit within the district shall include,

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2486 immediately prior to the space reserved in the contract for the
2487 signature of the purchaser, the following disclosure statement
2488 in boldfaced and conspicuous type which is larger than the type
2489 in the remaining text of the contract: "THE CORKSCREW GROVE
2490 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
2491 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
2492 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
2493 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
2494 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
2495 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
2496 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
2497 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

2498 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
2499 after the election of the first board of supervisors creating
2500 this district, the district shall cause to be recorded in the
2501 grantor-grantee index of the property records in Collier County
2502 a "Notice of Creation and Establishment of the Corkscrew Grove
2503 Stewardship District." The notice shall, at a minimum, include
2504 the legal description of the property covered by this act.

2505 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
2506 service, works, improvement, project, or other infrastructure
2507 owned by the district, or funded by federal tax exempt bonding
2508 issued by the district, is public; and the district by rule may
2509 regulate, and may impose reasonable charges or fees for, the use
2510 thereof, but not to the extent that such regulation or

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2511 imposition of such charges or fees constitutes denial of
2512 reasonable access.

2513 Section 7. If any provision of this act is determined
2514 unconstitutional or otherwise determined invalid by a court of
2515 law, all the rest and remainder of the act shall remain in full
2516 force and effect as the law of this state.

2517 Section 8. This act shall take effect upon becoming a law,
2518 except that the provisions of this act which authorize the levy
2519 of ad valorem taxation shall take effect only upon express
2520 approval by a majority vote of those qualified electors of the
2521 Corkscrew Grove Stewardship District, as required by Section 9
2522 of Article VII of the State Constitution, voting in a referendum
2523 election held during a general election at such time as all
2524 members of the board are qualified electors who are elected by
2525 qualified electors of the district as provided in this act.
2526