

By Senator Calatayud

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1 A bill to be entitled
2 An act relating to resilience districts; creating s.
3 190.101, F.S.; providing a short title; creating s.
4 190.102, F.S.; providing legislative findings;
5 creating s. 190.103, F.S.; defining terms; creating s.
6 190.104, F.S.; declaring that this act constitutes the
7 sole authority for resilience districts; creating s.
8 190.105, F.S.; providing that the establishment of
9 resilience districts is through a petition by certain
10 persons; prohibiting a local government from
11 initiating a resilience district without such
12 petition; specifying the requirements for the
13 petition; requiring the petitioner to send copies of
14 the petition to specified counties and municipalities
15 and pay a certain fee; authorizing petitioners to
16 engage in certain meetings before the filing of the
17 petition; requiring certain counties and
18 municipalities to conduct public hearings; specifying
19 a timeframe for conducting such hearings; authorizing
20 counties or municipalities to express support of or
21 objection to the resilience district by resolution;
22 specifying the requirements for such resolution;
23 requiring the public hearing on a petition to be
24 conducted in accordance with local regulations and at
25 an accessible location; requiring the petitioner to
26 publish notice of the hearing; specifying the
27 requirements of the notice; requiring the local
28 government to give an opportunity to provide oral or
29 written comments on the petition; providing that the

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30 local government where the petition is filed may
31 consider specified factors in granting or denying a
32 petition for a resilience district; specifying certain
33 requirements if the petition is denied on a specified
34 basis; requiring that an interlocal agreement be
35 signed in certain circumstances; requiring counties to
36 develop a process to receive such petitions by a
37 certain date; specifying the requirements of the
38 petition; requiring the petitioner to submit a
39 petition to a specified county and to pay certain
40 fees; requiring the county to make certain
41 notifications; requiring the county to conduct a
42 public hearing under certain circumstances; specifying
43 a timeframe and requirements for such hearing;
44 authorizing counties to express support of or
45 objection to the resilience district by resolution;
46 specifying the requirements for such resolution;
47 requiring that the hearing be conducted in accordance
48 with local regulations and at an accessible location;
49 requiring the petitioner to publish notice of the
50 hearing; specifying the requirements of the notice;
51 requiring the county to give certain individuals an
52 opportunity to provide oral or written comments on the
53 petition; specifying factors that may be considered in
54 granting or denying petitions; providing procedures
55 for the rehearing or revision of petitions; requiring
56 implementation of a project under specified
57 circumstances; requiring affected governments to sign
58 an interlocal agreement with a local government

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59 receiving a petition under certain circumstances;
60 creating s. 190.1052, F.S.; specifying requirements
61 for the size of resilience districts; prohibiting
62 certain configurations; requiring resilience districts
63 to replace certain other special taxing districts
64 under certain circumstances; requiring that certain
65 funds be transferred to the resilience district;
66 specifying that the resilience district includes
67 certain consolidated property; creating s. 190.1054,
68 F.S.; specifying acceptable uses of resilience
69 districts; providing limitations on the use of
70 resilience districts; requiring that certain
71 modifications be approved through an amended petition;
72 creating s. 190.1056, F.S.; authorizing the payment of
73 certain fees for project management of resilience
74 districts; specifying a certain fee to the property
75 appraiser for certain administration; requiring that
76 all fees be factored into the loan amount; creating s.
77 190.106, F.S.; specifying the composition, length of
78 terms, and procedure for filling vacancies of the
79 board for resilience districts; requiring board
80 members to follow applicable laws; prohibiting board
81 members from receiving compensation; prohibiting board
82 members from performing the work of the resilience
83 district; requiring board members to be residents of
84 this state and citizens of the United States; creating
85 s. 190.108, F.S.; requiring each resilience district
86 to publish an annual budget; requiring resilience
87 districts to provide certain financial reports;

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88 authorizing the local government to review and submit
89 comments regarding a district's annual budget;
90 creating s. 190.111, F.S.; specifying the powers of
91 resilience districts and their boards of supervisors;
92 creating s. 190.133, F.S.; requiring resilience
93 districts to follow a specified procurement process;
94 creating s. 190.136, F.S.; authorizing resilience
95 districts to recover unpaid fees, rental charges, or
96 penalties; creating s. 190.146, F.S.; specifying the
97 circumstances in which resilience districts may be
98 expanded or reduced; providing for automatic
99 termination of resilience districts upon payment of
100 debt; creating s. 190.148, F.S.; requiring a specified
101 disclosure for sales of real property located in a
102 resilience district; creating s. 190.149, F.S.;
103 requiring resilience districts to record a specified
104 notice of establishment within a specified timeframe;
105 amending ss. 190.002, 190.003, 190.046, and 190.048,
106 F.S.; conforming provisions to changes made by the
107 act; making technical changes; providing a directive
108 to the Division of Law Revision; providing an
109 effective date.

110
111 Be It Enacted by the Legislature of the State of Florida:

112
113 Section 1. Section 190.101, Florida Statutes, is created to
114 read:

115 190.101 Short title.—Sections 190.101-190.149 may be cited
116 as the "Resilience District Act of 2024."

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117 Section 2. Section 190.102, Florida Statutes, is created to
118 read:

119 190.102 Legislative findings.—The Legislature finds that:

120 (1) There is a need for uniform, focused, and fair
121 procedures in state law which provide financial mechanisms to
122 help communities mitigate the risk from rising sea levels and
123 increased flooding while improving the quality of life for their
124 residents.

125 (2) Local governments need support to address these
126 challenges in a timely manner, including providing new,
127 resident-focused solutions to solve infrastructure problems.

128 (3) Even though more than half of this state's
129 municipalities have fewer than 6,000 residents, current
130 financing mechanisms disproportionately benefit larger and more
131 affluent communities.

132 (4) Allowing current special districts to exist in
133 perpetuity, even long after their functional responsibilities
134 have ended and their initial debt financing is satisfied, is not
135 in the state's best interest.

136 Section 3. Section 190.103, Florida Statutes, is created to
137 read:

138 190.103 Definitions.—As used in ss. 190.101-190.149, the
139 term:

140 (1) "Board" or "board of supervisors" has the same meaning
141 as in s. 190.003.

142 (2) "Bond" means any general obligation bond, assessment
143 bond, refunding bond, revenue bond, and other such obligation in
144 the nature of a bond as is provided for in this act.

145 (3) "District" means a resilience district.

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146 (4) "District boundaries" means a continuous geographic
147 area with a common interest.

148 (5) "District manager" means the manager of a resilience
149 district, who may include a staff member of the local
150 government.

151 (6) "Infrastructure" means any fixed capital expenditure or
152 fixed capital costs associated with the construction,
153 reconstruction, or improvement of facilities that have a life
154 expectancy of 5 or more years and any land acquisition, land
155 improvement, design, and engineering costs related thereto.

156 (7) "Landowner" means the owner of a freehold estate as it
157 appears by the deed record, including a trustee, a private
158 corporation, and an owner of a condominium unit. The term does
159 not include a reversioner, remainderman, mortgagee, or any
160 governmental entity that may not be counted and need not be
161 notified of proceedings under this act. The term includes the
162 owner of a ground lease from a governmental entity, which
163 leasehold interest has a remaining term, excluding all renewal
164 options, in excess of 50 years.

165 (8) "Parcel" means any quantity of land capable of being
166 described with such definiteness that its location and
167 boundaries may be established, which is designated by its owner
168 or developer as land to be used or developed as a unit, or which
169 has been used or developed as a unit.

170 (9) "Resilience district" means a citizen-initiated
171 financing district created pursuant to this act and limited to
172 the performance of those specialized functions authorized by
173 this act which address infrastructure and resilience problems
174 affecting the district's geographic area, specifically for

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175 public infrastructure.

176 (10) "Taxpayer" means any person or corporation paying
177 property taxes for property owned within the resilience district
178 boundary.

179 (11) "Local general-purpose government" has the same
180 meaning as in 190.003.

181 Section 4. Section 190.104, Florida Statutes, is created to
182 read:

183 190.104 Sole authority.—This act constitutes the sole
184 authorization for the establishment of resilience districts that
185 have any of the specified functions and powers provided by this
186 act.

187 Section 5. Section 190.105, Florida Statutes, is created to
188 read:

189 190.105 Establishment of resilience districts.—The
190 exclusive and uniform method for the establishment of a
191 resilience district to address infrastructure is through a
192 petition by the taxpayers who own real property within the
193 district boundaries. A local government may not initiate the
194 creation of the resilience district without such petition.

195 (1) A petition for the establishment of a resilience
196 district must be filed by the petitioner with the local
197 government having jurisdiction, which must serve as the project
198 manager for the proposed district unless the proposed district
199 hires a private individual to provide this service. The petition
200 must contain all of the following:

201 (a) A metes and bounds description of the boundaries of the
202 proposed district. Any real property within the boundaries of
203 the proposed district which is to be excluded from the proposed

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204 district must be specifically described, and the last known
205 address of all owners of such real property must be provided.
206 The petition must also address the impact of the proposed
207 district on any such real property within the external
208 boundaries of the proposed district which is to be excluded from
209 the proposed district.

210 (b) Written consent to the establishment of the district by
211 70 percent of the landowners whose real property is within the
212 boundaries of the district or documentation demonstrating that
213 the petitioner has control by deed, trust agreement, contract,
214 or option of 100 percent of such real property. When such real
215 property to be included in the district is owned by a
216 governmental entity and is subject to a ground lease as
217 described in s. 190.103(7), the governmental entity must provide
218 its written consent. The petitioner must verify ownership of
219 property with the county property appraiser.

220 (c) The name of the proposed district.

221 (d) Identification that the use of the proposed district is
222 an acceptable use under s. 190.1054(1).

223 (e) A written description of the need for the proposed
224 district.

225 (f) Designation of five persons who will be the initial
226 members of the proposed district's board of supervisors and
227 serve in that office until replaced by members elected pursuant
228 to s. 190.106.

229 (g) Based upon available data, the budget of the proposed
230 district and the timeline for expenditure of funds. These
231 estimates must be submitted in good faith but are not binding,
232 and may be revised as needed. The proposed budget must include

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233 the overall cost of the infrastructure project, the number of
234 years of repayment, the cost per property, and any fees to be
235 paid to a local general-purpose government in support of the
236 development and operation of the district.

237 (2) The petitioner shall submit the petition to the local
238 government that will serve as the project manager, along with an
239 application fee of \$500, and shall provide a copy of the
240 petition to each municipality or county having jurisdiction over
241 all, or a portion of, the land within the boundaries of the
242 proposed district. In cases where conflicts arise over the
243 formation of a district, the petitioner may engage the local
244 government in meetings before the petition is filed to attempt
245 to find a resolution that is mutually agreeable to all parties.

246 (3) Each county or municipality required under this section
247 to receive a petition shall conduct a public hearing to consider
248 the merits of the petition and whether it meets the requirements
249 specified in subsection (4).

250 (a) A public hearing conducted under this section must:

251 1. Be held within 90 days after the date the petition is
252 filed, unless an extension of time is requested by the
253 petitioner and granted by the local general-purpose government,
254 as applicable. The local general-purpose government holding the
255 public hearing may express its support of or objection to the
256 creation of the resilience district by resolution, in which any
257 objection to the granting of the petition must be based upon the
258 factors specified in subsection (4). Such resolution must be
259 adopted by a supermajority of the governing body of the local
260 general-purpose government.

261 2. Be conducted in accordance with local ordinances

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262 regarding public hearings.

263 3. Be held at an accessible location of the local
264 government that receives the petition.

265 (b) The petitioner shall publish a notice of the hearing
266 for 4 successive weeks on a publicly accessible website as
267 provided in s. 50.0311(2) and mail a notice to each landowner of
268 real property within the boundaries of the proposed district at
269 least 30 days before the hearing. Such notice must give the time
270 and place of the hearing; a description of the area to be
271 included in the district, including a map clearly showing the
272 boundaries of the district and the real property located within
273 those boundaries; and any other relevant information that the
274 county or municipality, as applicable, requires. All affected
275 units of the local general-purpose government and the general
276 public must be given an opportunity to appear at the hearing and
277 present oral or written comments on the petition.

278 (4) The local general-purpose government with which the
279 petition is filed may consider any of the following factors in
280 granting or denying the petition for the establishment of a
281 resilience district:

282 (a) Whether all statements contained in the petition have
283 been found to be true and correct.

284 (b) Whether the proposed district boundaries are in
285 compliance with s. 190.1052.

286 (c) Whether the local general-purpose government has
287 committed to funding the proposed infrastructure project and
288 will implement the project within the next 5 years. The project
289 must be clearly defined in a capital improvement plan.

290 (d) Whether an independent licensed engineering

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291 professional, free of conflict, hired by the local general-
292 purpose government, has determined that the proposed project
293 will not adequately address the problem. As used in this
294 paragraph, the term "will not adequately address" means that the
295 proposed project would not improve the situation in any
296 meaningful way.

297 (e) Whether the proposed district would primarily serve one
298 parcel or owner or numerous parcels that have related owners
299 through familial or business interests other than for the
300 redevelopment of nonresilient housing as described in s.
301 190.1054(1)(d).

302 (f) Whether the infrastructure improvements are located
303 outside the jurisdictional authority of any local government
304 included as a cooperative partner in the project.

305 (g) Whether the proposed improvements would have a
306 significant negative impact on other property owners outside the
307 proposed district and whether a remedy exists to mitigate such
308 impact.

309 (h) Whether the operation and maintenance of the proposed
310 infrastructure would create an undue burden on the local
311 general-purpose government.

312 (i) Whether the establishment of the proposed district is
313 inconsistent with any applicable element or portion of the local
314 general-purpose government's comprehensive plan.

315 (5) If the local general-purpose government denies the
316 petition under section (4)(c), and then fails to implement the
317 infrastructure improvement or eliminates funding for it at any
318 time within 5 years, the petition must be reheard within 45 days
319 and may not be denied subsequently under that section. In this

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320 case, the local general-purpose government, if selected as the
321 project manager, must not take a project management fee and is
322 responsible for any increased costs from the petitioner's
323 previously submitted cost estimate.

324 (6) If the local general-purpose government denies the
325 petition under subsection (4) (b), it must work with the
326 petitioner, if the petitioner so desires, to determine
327 acceptable boundaries and the petitioner must revise the
328 petition accordingly.

329 (7) If the local general-purpose government inappropriately
330 denies the petition under subsection (4) without working with
331 the petitioner to attempt to modify the petition or to find an
332 agreeable alternative, the local general-purpose government is
333 responsible for implementing the project, or an appropriate
334 alternative, at the local general-purpose government's cost, and
335 must commence the project within 180 days and without creating
336 any unreasonable delays in the completion of the project.

337 (8) If lands within the boundaries of the proposed district
338 overlap the boundaries of more than one local general-purpose
339 government, the affected local general-purpose governments must
340 sign an interlocal agreement with the local government receiving
341 the petition. The interlocal agreement must be in place within
342 120 days after the approval of the district and before the
343 proposed district commences work.

344 Section 6. Section 190.1052, Florida Statutes, is created
345 to read:

346 190.1052 Resilience district boundaries.—

347 (1) Resilience districts must be compact and the smallest
348 size possible to solve the identified problem, yet sufficient in

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349 size to encompass the properties that will receive benefit from
350 the proposed improvements.

351 (2) A local general-purpose government cannot be more than
352 5 percent of the land area of the district without the local
353 general-purpose government having signed an agreement. The land
354 area calculation may not include rights-of-way or other publicly
355 accessible lands used for infrastructure.

356 (3) A district may not:

357 (a) Have one owner with more than 10 percent of the area of
358 the district without the consent of that owner.

359 (b) Include state or federal property without the consent
360 of those governments, including submerged lands.

361 (c) Include federal Indian country lands, as defined in 18
362 U.S.C. s. 1151.

363 (4) If a district is identical to, or shares more than 90
364 percent of the geography of, any existing special taxing
365 district that primarily serves a similar function, the existing
366 special taxing district must be dissolved and reconstituted as a
367 resilience district as defined in s. 190.103 and all existing
368 funds serving the existing special taxing district must be
369 transferred to the resilience district. This applies to
370 resilience districts under this act that have the same boundary
371 as existing resilience districts.

372 (5) If a property within the district consolidates with an
373 adjacent unit or property, the district includes the entirety of
374 the consolidated property.

375 Section 7. Section 190.1054, Florida Statutes, is created
376 to read:

377 190.1054 Uses of the resilience district.-

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378 (1) Acceptable uses of resilience districts include, but
379 are not limited to, all of the following:

380 (a) Projects that mitigate the risk of flooding and sea
381 level rise as defined under s. 380.093, including the costs of
382 design, permitting, and other preconstruction activities, as
383 well as harmonization of the project with private property.
384 Exclusions on the use of the funds provided under s. 380.093 do
385 not apply to resilience districts.

386 (b) Infrastructure that improves access to property during
387 flood or storm events. This may include the cost of design,
388 permitting, and other preconstruction activities, as well as
389 harmonization of the infrastructure with private property.

390 (c) Septic to sewer conversion. If infrastructure
391 improvement outside of the district is necessary to provide
392 sewer service, the entity providing such service may include the
393 cost of the proportional benefit to the residents of the
394 district, if such costs have been similarly charged to expand
395 sewer service. This may include the cost of design, permitting,
396 and other preconstruction activities, as well as harmonization
397 of the sewer service with private property.

398 (d) Redevelopment of nonresilient housing stock and related
399 infrastructure improvements.

400 1. Nonresilient housing stock includes, but is not limited
401 to, mobile home parks, manufactured housing, or areas where 90
402 percent or more of the properties have a first finished floor
403 elevation below the designated base flood elevation.

404 2. For redevelopments where the average income of the
405 current residents is below the county's median household income,
406 a developer must provide:

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- 407 a. An affordable housing unit, as defined by the Florida
408 Housing Finance Corporation, for every existing structure or
409 unit;
- 410 b. The first right of refusal to the residents of the
411 proposed district for rental or purchase of new units developed;
412 and
- 413 c. For residents who desire to stay in the proposed
414 district during redevelopment, a clear plan for the
415 nondisplacement or temporary relocation of existing residents
416 during construction. The cost of relocation and additional cost
417 of any housing must be covered by the proposed district. For
418 residents who desire to leave the proposed district during
419 redevelopment, the developer must pay for relocation costs,
420 including housing placement assistance and rental support for
421 the difference in costs, based on average market rent for at
422 least 12 months.
- 423 (e) Service the debt of any existing special taxing
424 district authorized under statute, in the event that district is
425 dissolved.
- 426 (2) A resilience district may not be created for the
427 purpose of taking over public lands.
- 428 (3) A resilience districts may not exist in perpetuity and
429 must be created with a specific purpose. Resilience districts
430 may not add additional projects beyond what was approved as part
431 of the petition under s. 190.105, unless the projects are
432 required to address a deficiency identified within 5 years after
433 creation of the district which will compromise the intent and
434 purpose of the approved projects. Any modifications require the
435 approval of 70 percent or more of the unit owners within the

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436 district through an amended petition submitted under s. 190.105.
437 The amended petition must be verified by the local property
438 appraiser.

439 Section 8. Section 190.1056, Florida Statutes, is created
440 to read:

441 190.1056 Management and service fees.-

442 (1) If the local government is acting as the project
443 manager for a resilience district, the district may pay up to a
444 5 percent project management fee based on the total cost of
445 design and construction. Half of the fee is to be paid to the
446 local government acting as the project manager at the
447 commencement of the project and the remainder at the completion
448 of the project. If an outside firm is used to manage the
449 project, the actual cost of project management may be charged if
450 approved as part of the creation of the district but may not
451 exceed 10 percent of the total cost of design and construction.
452 The project manager must be a Florida-licensed professional
453 engineer and be employed by a company that is authorized to do
454 business in this state.

455 (2) The local property appraiser must receive up to a 2
456 percent administrative fee or actual cost of administration,
457 whichever is less, based on the annual amount of collection for
458 the district for any debt service.

459 (3) All fees must be factored into any overall loan amount
460 reflected in the budget as a part of the petition approval
461 process.

462 Section 9. Section 190.106, Florida Statutes, is created to
463 read:

464 190.106 Board of supervisors; members and meetings.-

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- 465 (1) For resilience districts:
- 466 (a) The board shall be composed of a minimum of three and
467 no more than seven members or of two members multiplied by the
468 number of local governments that are parties to the district
469 plus one member, whichever is greater.
- 470 (b) The board shall include one elected official from all
471 local governments who received a copy of the petition, but a
472 majority of the board must be property owners from within the
473 district.
- 474 (c) Local government elected officials do not count as
475 residents of the district, even if they own property within the
476 district.
- 477 (d) Each term will be for a length of no more than 5 years.
- 478 (e) Vacancies on the board must be filled by the local
479 general-purpose government that created the district and if the
480 local government fails to fill a vacancy within 60 days, the
481 board may appoint an interim member in a publicly noticed
482 meeting in accordance with this chapter.
- 483 (2) District board members shall follow all applicable
484 local, state, and federal laws.
- 485 (3) District board members may not be compensated for their
486 service.
- 487 (4) District board members are precluded from performing
488 any of the work of the district.
- 489 (5) The members of the district board must be residents of
490 the state and citizens of the United States.
- 491 Section 10. Section 190.108, Florida Statutes, is created
492 to read:
493 190.108 Budget; reports and reviews.—

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494 (1) Each resilience district shall publish an annual budget
495 that must be provided to each resident and landowner or unit
496 owner within the district.

497 (2) The resilience district shall provide financial reports
498 in such form and such manner as prescribed pursuant to this
499 subsection and s. 190.009.

500 (3) The local general-purpose government may review the
501 proposed annual budget and any long-term financial plan or
502 program and may submit written comments to the resilience
503 district board for its assistance and information in adopting
504 the annual budget and long-term financial plan or program.

505 Section 11. Section 190.111, Florida Statutes, is created
506 to read:

507 190.111 General powers.—Each resilience district has, and
508 its board of supervisors may exercise, the following powers:

509 (1) To borrow money and issue bonds, certificates,
510 warrants, notes, or other evidence of indebtedness as
511 hereinafter provided; to levy such tax and special assessments
512 as may be authorized; and to charge, collect, and enforce fees
513 and other charges.

514 (2) To contract for the services of consultants to perform
515 planning, engineering, legal, or other appropriate services of a
516 professional nature. Such contracts are subject to public
517 bidding or competitive negotiation requirements as set forth in
518 s. 190.133.

519 (3) To cooperate with, or contract with, other governmental
520 agencies as may be necessary, convenient, incidental, or proper
521 in connection with any of the powers, duties, or purposes
522 authorized by this act.

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523 (4) To exercise such special powers as may be authorized by
524 this act.

525 Section 12. Section 190.133, Florida Statutes, is created
526 to read:

527 190.133 Bids required.—A resilience district shall follow
528 the applicable procurement processes of the local government
529 that manages the district or shall follow the requirements of s.
530 287.055. Project services may be procured under continuing
531 service contracts with the approval of the district board of
532 supervisors.

533 Section 13. Section 190.136, Florida Statutes, is created
534 to read:

535 190.136 Recovery of delinquent charges.—In the event that
536 any fees, rental charges, or delinquent penalties are not paid
537 when due and are in default for 60 days or more, the unpaid
538 balance thereof and all interest accrued thereon, together with
539 reasonable attorney fees and costs, may be recovered by the
540 resilience district in a civil action.

541 Section 14. Section 190.146, Florida Statutes, is created
542 to read:

543 190.146 Reduction, expansion, termination of resilience
544 districts.—

545 (1) The boundaries of the resilience district may only be
546 expanded or reduced as provided in s. 190.1052.

547 (2) For a resilience district, upon completion of the
548 project, the appropriate local general-purpose government must
549 take over ownership of all infrastructure built by the district,
550 and the district must only exist to service the debt incurred
551 for the infrastructure project. The resilience district

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552 automatically terminates after all debt is paid.

553 Section 15. Section 190.148, Florida Statutes, is created
554 to read:

555 190.148 Sale of real estate within a resilience district;
556 required disclosure to purchaser.—Subsequent to the
557 establishment of a resilience district under s. 190.105, each
558 contract for the initial sale of a parcel of real property and
559 each contract for the initial sale of a residential unit within
560 the district must include, printed immediately above the space
561 reserved in the contract for the signature of the purchaser, the
562 following disclosure statement in boldface and conspicuous type
563 that is larger than the type in the remaining text of the
564 contract:

565
566 THE RESILIENCE DISTRICT OF ... (Name of District)...
567 IMPOSES AND LEVIES ASSESSMENTS ON THIS PROPERTY. THESE
568 ASSESSMENTS FUND THE DESIGN AND CONSTRUCTION COSTS OF
569 CERTAIN INFRASTRUCTURE IMPROVEMENTS AND ARE BASED ON
570 THE PETITION THAT CREATED THIS DISTRICT. THESE TAXES
571 AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER
572 LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
573 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW.

574
575 Section 16. Section 190.149, Florida Statutes, is created
576 to read:

577 190.149 Notice of establishment.—Within 30 days after the
578 establishment of a resilience district under this act, the
579 resilience district must record in the property records in the
580 county in which it is located a "Notice of Establishment of a

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581 Resilience District.” The notice must, at a minimum, include the
582 legal description of the resilience district and a copy of the
583 disclosure statement specified in s. 190.148.

584 Section 17. Subsection (3) of section 190.002, Florida
585 Statutes, is amended to read:

586 190.002 Legislative findings, policies, and intent.—

587 (3) It is the legislative intent and purpose, based upon,
588 and consistent with, its findings of fact and declarations of
589 policy, to authorize a uniform procedure by general law to
590 establish an independent special district as an alternative
591 method to manage and finance basic services for community
592 development. It is further the legislative intent and purpose to
593 provide by general law for the uniform operation, exercise of
594 power, and procedure for termination of any such independent
595 district. It is further the purpose and intent of the
596 Legislature that a district created under s. 190.005 ~~this~~
597 ~~chapter~~ not have or exercise any zoning or development
598 permitting power, that the establishment of the independent
599 community development district as provided in this act not be a
600 development order within the meaning of chapter 380, and that
601 all applicable planning and permitting laws, rules, regulations,
602 and policies control the development of the land to be serviced
603 by the district. It is further the purpose and intent of the
604 Legislature that no debt or obligation of a district constitute
605 a burden on any local general-purpose government without its
606 consent.

607 Section 18. Section 190.003, Florida Statutes, is amended
608 to read:

609 190.003 Definitions.—As used in ss. 190.001-190.149 ~~this~~

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610 ~~chapter~~, the term:

611 (1) "Ad valorem bonds" means bonds which are payable from
612 the proceeds of ad valorem taxes levied on real and tangible
613 personal property and which are generally referred to as general
614 obligation bonds.

615 (2) "Assessable improvements" means, without limitation,
616 any and all public improvements and community facilities that
617 the district is empowered to provide in accordance with this
618 act.

619 (3) "Assessment bonds" means special obligations of the
620 district which are payable solely from proceeds of the special
621 assessments levied for an assessable project.

622 (4) "Board" or "board of supervisors" means the governing
623 board of the district or, if such board has been abolished, the
624 board, body, or commission succeeding to the principal functions
625 thereof or to whom the powers given to the board by this act
626 have been given by law.

627 (5) "Bond" includes "certificate," and the provisions which
628 are applicable to bonds are equally applicable to certificates.
629 The term "bond" includes any general obligation bond, assessment
630 bond, refunding bond, revenue bond, and other such obligation in
631 the nature of a bond as is provided for in this act, as the case
632 may be.

633 (6) "Community development district" means a local unit of
634 special-purpose government which is created pursuant to this act
635 and limited to the performance of those specialized functions
636 authorized by this act; the governing head of which is a body
637 created, organized, and constituted and authorized to function
638 specifically as prescribed in this act for the purpose of the

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639 delivery of urban community development services; and the
640 formation, powers, governing body, operation, duration,
641 accountability, requirements for disclosure, and termination of
642 which are as required by general law.

643 (7) "Compact, urban, mixed-use district" means a district
644 located within a municipality and within a community
645 redevelopment area created pursuant to s. 163.356, that consists
646 of a maximum of 75 acres, and has development entitlements of at
647 least 400,000 square feet of retail development and 500
648 residential units.

649 (8) "Cost," when used with reference to any project,
650 includes, but is not limited to:

651 (a) The expenses of determining the feasibility or
652 practicability of acquisition, construction, or reconstruction.

653 (b) The cost of surveys, estimates, plans, and
654 specifications.

655 (c) The cost of improvements.

656 (d) Engineering, fiscal, and legal expenses and charges.

657 (e) The cost of all labor, materials, machinery, and
658 equipment.

659 (f) The cost of all lands, properties, rights, easements,
660 and franchises acquired.

661 (g) Financing charges.

662 (h) The creation of initial reserve and debt service funds.

663 (i) Working capital.

664 (j) Interest charges incurred or estimated to be incurred
665 on money borrowed before ~~prior to~~ and during construction and
666 acquisition and for such reasonable period of time after
667 completion of construction or acquisition as the board may

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668 determine.

669 (k) The cost of issuance of bonds pursuant to this act,
670 including advertisements and printing.

671 (l) The cost of any election held pursuant to this act and
672 all other expenses of issuance of bonds.

673 (m) The discount, if any, on the sale or exchange of bonds.

674 (n) Administrative expenses.

675 (o) Such other expenses as may be necessary or incidental
676 to the acquisition, construction, or reconstruction of any
677 project or to the financing thereof, or to the development of
678 any lands within the district.

679 (p) Payments, contributions, dedications, fair share or
680 concurrency obligations, and any other exactions required as a
681 condition to receive any government approval or permit necessary
682 to accomplish any district purpose.

683 (9) "District" means the community development district.

684 (10) "District manager" means the manager of the district.

685 (11) "District roads" means highways, streets, roads,
686 alleys, sidewalks, landscaping, storm drains, bridges, and
687 thoroughfares of all kinds and descriptions.

688 (12) "Elector" means a landowner or qualified elector.

689 (13) "General obligation bonds" means bonds which are
690 secured by, or provide for their payment by, the pledge, in
691 addition to those special taxes levied for their discharge and
692 such other sources as may be provided for their payment or
693 pledged as security under the resolution authorizing their
694 issuance, of the full faith and credit and taxing power of the
695 district and for payment of which recourse may be had against
696 the general fund of the district.

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697 (14) "Landowner" means the owner of a freehold estate as
698 appears by the deed record, including a trustee, a private
699 corporation, and an owner of a condominium unit; it does not
700 include a reversioner, remainderman, mortgagee, or any
701 governmental entity, which may ~~who shall~~ not be counted and need
702 not be notified of proceedings under this act. Landowner ~~shall~~
703 also means ~~mean~~ the owner of a ground lease from a governmental
704 entity, which leasehold interest has a remaining term, excluding
705 all renewal options, in excess of 50 years.

706 (15) "Local general-purpose government" means a county,
707 municipality, or consolidated city-county government.

708 (16) "Project" means any development, improvement,
709 property, utility, facility, works, enterprise, or service now
710 existing or hereafter undertaken or established under the
711 provisions of this act.

712 (17) "Qualified elector" means any person at least 18 years
713 of age who is a citizen of the United States, a legal resident
714 of Florida and of the district, and who registers to vote with
715 the supervisor of elections in the county in which the district
716 land is located.

717 (18) "Refunding bonds" means bonds issued to refinance
718 outstanding bonds of any type and the interest and redemption
719 premium thereon. Refunding bonds are ~~shall be~~ issuable and
720 payable in the same manner as the refinanced bonds, except that
721 no approval by the electorate shall be required unless required
722 by the State Constitution.

723 (19) "Revenue bonds" means obligations of the district
724 which are payable from revenues derived from sources other than
725 ad valorem taxes on real or tangible personal property and which

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726 do not pledge the property, credit, or general tax revenue of
727 the district.

728 (20) "Sewer system" means any plant, system, facility, or
729 property, and additions, extensions, and improvements thereto at
730 any future time constructed or acquired as part thereof, useful
731 or necessary or having the present capacity for future use in
732 connection with the collection, treatment, purification, or
733 disposal of sewage, including, without limitation, industrial
734 wastes resulting from any process of industry, manufacture,
735 trade, or business or from the development of any natural
736 resource. Without limiting the generality of the foregoing, the
737 term "sewer system" includes treatment plants, pumping stations,
738 lift stations, valves, force mains, intercepting sewers,
739 laterals, pressure lines, mains, and all necessary appurtenances
740 and equipment; all sewer mains, laterals, and other devices for
741 the reception and collection of sewage from premises connected
742 therewith; and all real and personal property and any interest
743 therein, rights, easements, and franchises of any nature
744 relating to any such system and necessary or convenient for
745 operation thereof.

746 (21) "Water management and control facilities" means any
747 lakes, canals, ditches, reservoirs, dams, levees, sluiceways,
748 floodways, curbs, gutters, pumping stations, or any other works,
749 structures, or facilities for the conservation, control,
750 development, utilization, and disposal of water, and any
751 purposes appurtenant, necessary, or incidental thereto. The term
752 "water management and control facilities" includes all real and
753 personal property and any interest therein, rights, easements,
754 and franchises of any nature relating to any such water

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755 management and control facilities or necessary or convenient for
756 the acquisition, construction, reconstruction, operation, or
757 maintenance thereof.

758 (22) "Water system" means any plant, system, facility, or
759 property and additions, extensions, and improvements thereto at
760 any future time constructed or acquired as part thereof, useful
761 or necessary or having the present capacity for future use in
762 connection with the development of sources, treatment, or
763 purification and distribution of water. Without limiting the
764 generality of the foregoing, the term "water system" includes
765 dams, reservoirs, storage, tanks, mains, lines, valves,
766 hydrants, pumping stations, chilled water distribution systems,
767 laterals, and pipes for the purpose of carrying water to the
768 premises connected with such system, and all rights, easements,
769 and franchises of any nature relating to any such system and
770 necessary or convenient for the operation thereof.

771 Section 19. Paragraph (a) of subsection (4) of section
772 190.046, Florida Statutes, is amended to read:

773 190.046 Termination, contraction, or expansion of
774 district.—

775 (4) (a) To achieve economies of scale, reduce costs to
776 affected district residents and businesses in areas with
777 multiple existing districts, and encourage the merger of
778 multiple districts, up to five districts that were established
779 by the same local general-purpose government and whose board
780 memberships are composed entirely of qualified electors may
781 merge into one surviving district through adoption of an
782 ordinance by the local general-purpose government,
783 notwithstanding the acreage limitations otherwise set forth for

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784 the establishment of a district in s. 190.005 ~~this chapter~~. The
785 filing of a petition by the majority of the members of each
786 district board of supervisors seeking to merge constitutes
787 consent of the landowners within each applicable district.

788 Section 20. Section 190.048, Florida Statutes, is amended
789 to read:

790 190.048 Sale of real estate within a district; required
791 disclosure to purchaser.—Subsequent to the establishment of a
792 district under s. 190.005 ~~this chapter~~, each contract for the
793 initial sale of a parcel of real property and each contract for
794 the initial sale of a residential unit within the district shall
795 include, immediately prior to the space reserved in the contract
796 for the signature of the purchaser, the following disclosure
797 statement in boldfaced and conspicuous type which is larger than
798 the type in the remaining text of the contract:

799
800 "THE ...(Name of District)... COMMUNITY DEVELOPMENT
801 DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR
802 BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE
803 TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION,
804 AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND
805 SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE
806 GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND
807 ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL
808 GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES
809 AND ASSESSMENTS PROVIDED FOR BY LAW."

810
811 Section 21. The Division of Law Revision is directed to
812 change the title of chapter 190, Florida Statutes, from

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813 "Community Development Districts" to "Community Development and
814 Resilience Districts."

815 Section 22. This act shall take effect July 1, 2024.