

## CHAPTER 98-329

### Committee Substitute for Committee Substitute for House Bill No. 3421

An act relating to water control districts; amending s. 298.005, F.S.; deleting the definition of the term “water control district” and revising the definition of the term “water control plan”; amending s. 298.11, F.S.; providing for landowner vote for fractional acreage; providing quorum requirements; amending s. 298.12, F.S.; providing for appointment of a supervisor; amending s. 298.16, F.S.; eliminating surety bond requirements for district engineers; amending s. 298.22, F.S.; providing criteria for awarding construction contracts; amending s. 298.225, F.S.; revising requirements for the development and amendment of district water control plans; amending s. 298.26, F.S.; revising use of the district engineer’s annual report; amending s. 298.301, F.S.; providing authority for modification of district boundaries; providing for the determination of benefits and damages; revising notice and report requirements; providing that the approval of a district water control plan and assessments is final unless court action is brought within 30 days after approval; amending s. 298.329, F.S.; conforming a statutory cross reference; amending s. 298.353, F.S.; revising notice requirements; providing that district bonds may be payable from assessments on more than one unit; repealing s. 298.337, F.S., relating to levies of assessments on land less than 1 acre; providing an effective date.

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

Section 1. Subsections (3) and (4) of section 298.005, Florida Statutes, are amended to read:

298.005 Definitions.—As used in this chapter, the term:

~~(3) “Water control district” means a special district established in accordance with s. 298.01 and operating under this chapter.~~

(3)(4) “Water control plan” means the comprehensive operational document that describes the activities and improvements to be conducted by a water control district authorized under this chapter and includes any district. Alternatively described as a “plan of reclamation,” or “water management plan,” or “plan of improvement” that prior to October 1, 1998, a water control plan details the system of water management improvements implemented by a water control district.

Section 2. Subsections (2) and (3) of section 298.11, Florida Statutes, are amended to read:

298.11 Landowners’ meetings; election of board of supervisors; duties of Department of Environmental Protection ~~and Governor.~~—

(2) The landowners, when assembled, shall organize by the election of a chair and secretary of the meeting, who shall conduct the election. At the election, each and every acre of land in the district shall represent one share, and each owner shall be entitled to one vote in person or by proxy in writing duly signed, for every acre of land owned by him or her in the district, and the three persons receiving the highest number of votes shall be declared elected as supervisors. The appointment of proxies shall comply with s. 607.0722. Landowners owning less than 1 acre in the aggregate shall be entitled to one vote. Landowners with more than 1 acre are entitled to one additional vote for any fraction of an acre greater than ½ acre owned, when all of the landowners' acreage has been aggregated for purposes of voting. The landowners shall at such election determine the length of the terms of office of each supervisor so elected by them, which shall be respectively 1, 2, and 3 years, and they shall serve until their successors shall have been elected and qualified.

(3) The Department of Environmental Protection, at any such meeting, may represent the state, and shall have the right to vote for supervisors, or upon any matter that may come properly before said meeting to the extent of the acreage owned by the state in such district, provided such acreage is subject to assessment by the water control district, which vote may be cast by any person designated by said department. Guardians may represent their wards, executors and administrators may represent estates of deceased persons, and private corporations may be represented by their officers or duly authorized agents. The owners and proxy holders of a majority of district the acreage who are present at a duly noticed landowners' meeting included in such district shall be necessary to constitute a quorum for the purpose of holding such election, or any election thereafter, and in case the owners of a majority of the acreage included in such district are not present in person or duly represented, at the time and the place stated in the notice calling such meeting, then no election shall be held, and notice of such failure shall be given in writing by any person interested to the Governor, who shall as soon as practicable appoint three competent persons who own land in such district as such supervisors for the term of 1, 2, and 3 years respectively, and who shall hold their office until their successors are elected or appointed and qualified.

Section 3. Subsection (1) of section 298.12, Florida Statutes, is amended to read:

298.12 Annual election of supervisors; term of office; vacancy.—

(1) Every year in the same month after the time for the election of the first board of supervisors, it shall call a meeting of the landowners in the district in the same manner as is provided for in s. 298.11, and the owners of land in such district shall meet at the stated time and place and elect one supervisor therefor, or in case of their failure to elect, the Governor shall appoint such supervisor, ~~in like manner as prescribed in s. 298.11~~, who shall hold the supervisor's office for 3 years or until his or her successor is elected and qualified; and in case of a vacancy in any office of supervisor elected by the landowners, the remaining supervisors, or if they fail to act within 30 days, the Governor may fill such vacancy until the next annual meeting, when a successor shall be elected for the unexpired term.

Section 4. Section 298.16, Florida Statutes, is amended to read:

298.16 Appointment of district chief engineer; engineer's ~~bond and duties.~~—

(1) Within 30 days after organizing, the board of supervisors shall appoint a district chief engineer, who may be an individual, copartnership, or corporation, and who shall engage such assistants as the board of supervisors may approve. Such district chief engineer shall ~~enter into a bond with good surety, in a sum to be named by said board, and which bond and surety shall be approved by said board, conditioned that the chief engineer will faithfully and honestly perform all the duties required of him or her by said supervisors, and deliver to his or her successor all instruments, papers, maps, documents, and other things that may have come into the~~ district chief engineer's hands by virtue of his or her employment.

(2) The district chief engineer shall have control of the engineering work in said district and may, whenever he or she deems it necessary, confer with the jurisdictional water management district, and he or she may, by and with the consent of the board of supervisors, consult any eminent engineer and obtain his or her opinion and advice concerning the reclamation of lands in said districts. The said engineer shall make all necessary surveys of the lands within the boundary lines of said district, as described in the petition, and of all lands adjacent thereto that will be improved or reclaimed in part or in whole by any system of drainage that may be outlined and adopted.

(3) The engineer shall make a report in writing to the board of supervisors, with maps and profiles of said surveys, which report shall contain a full and complete water control plan for draining and reclaiming the lands described in the petition, or adjacent thereto, from overflow or damage by water, with the length, width, and depth of such canals, ditches, dikes or levees, or other works that may be necessary, in conjunction with any canals, drains, ditches, dikes, levees or other works heretofore constructed or built by the Board of Trustees of the Internal Improvement Trust Fund, or any other person, that may now be in process of construction, or which may be hereafter built by them, that may be necessary or which can be advantageously used in such water control plan; and also, an estimate of the costs of carrying out and completing the water control plan, including the cost of superintending the same and all incidental expenses in connection therewith. Maps and profiles shall also indicate so far as necessary the physical characteristics of the lands, and location of any public roads, railroads and other rights-of-way, roadways and other property or improvements located on such lands. A copy of the report required by this section shall be filed with the jurisdictional water management district.

Section 5. Section 298.22, Florida Statutes, is amended to read:

298.22 Powers of supervisors.—The board of supervisors of the district has full power and authority to ~~excavate, construct, and complete, operate, maintain, repair, and replace~~ any and all works and improvements necessary to execute the water control plan. Subject to the applicable provisions of chapter 373 or chapter 403, the board of supervisors:

(1) ~~May employ persons and purchase machinery to directly supervise, construct, maintain, and operate the works and improvements described in the water control plan, or may contract with others for the supervision, construction, maintenance, and operation of such works and improvements either as a whole or in part. Contracts for the construction of district facilities must be awarded under s. 255.20 and applicable general law. Contracts must be advertised and let to the lowest and best bidder, who shall give a good and approved bond, with ample security, upon the condition that he or she will well and promptly carry out the contract for the described works and improvements. Each contract must be in writing and have attached to it complete plans and specifications for the work to be done and improvements to be made under the contract, which plans and specifications must be prepared by the chief engineer of the district. Each contract shall be prepared by the attorney for the district, approved by the board of supervisors, and executed in duplicate by its president and the contractor. The chief engineer of the district must be the superintendent of all district works and improvements.~~

(2) May clean out, straighten, open up, widen, or change the course and flow, alter or deepen any canal, ditch, drain, river, watercourse, or natural stream; and concentrate, divert, or divide the flow of water in or out of said district; construct and maintain main and lateral ditches, canals, levees, dikes, dams, sluices, revetments, reservoirs, holding basins, floodways, pumping stations, and siphons, and may connect same, or any of them, with any canals, drains, ditches, levees, or other works that may have been heretofore, or which may be hereafter constructed by the Department of Environmental Protection or jurisdictional water management district, and with any natural stream, lake, or watercourse in or adjacent to said district.

(3) May build and construct any other works and improvements deemed necessary to preserve and maintain the works in or out of said district; acquire, construct, operate, maintain, use, sell, convey, transfer or otherwise provide for pumping stations, including pumping machinery, motive equipment, electric lines and all appurtenant or auxiliary machines, devices or equipment.

(4) May contract for the purchase, construction, operation, maintenance, use, sale, conveyance and transfer of the said pumping stations, machinery, motive equipment, electric lines and appurtenant equipment, including the purchase of electric power and energy for the operation of the same.

(5) May construct or enlarge, or cause to be constructed or enlarged, any and all bridges that may be needed in or out of said district, across any drain, ditch, canal, floodway, holding basin, excavation, public highway, railroad right-of-way, track, grade, fill or cut; construct roadways over levees and embankments; construct any and all of said works and improvements across, through or over any public highway, railroad right-of-way, track, grade, fill or cut, in or out of said district; remove any fence, building or other improvements, in or out of said district.

(6) Shall have the right to hold, control and acquire by donation or purchase and if need be, condemn any land, easement, railroad right-of-way,

sluice, reservoir, holding basin or franchise, in or out of said district, for right-of-way, holding basin for any of the purposes herein provided, or for material to be used in constructing and maintaining said works and improvements for implementation of the drainage, protecting and reclaiming the lands in said district water control plan.

(7) May condemn or acquire, by purchase or grant, for the use of the district, any land or property within or without said district not acquired or condemned by the court as identified in the engineer's report on the report of the commissioners assessing benefits and damages, and shall follow the procedure set out in chapter 73. Such powers to condemn or acquire any land or property within or without the district shall also be available for implementing requirements imposed on those districts subject to s. 373.4592.

(8) May adopt resolutions and policies to implement the purposes of this chapter.

(9) May assess and collect reasonable fees for the connection to and use of the works of the district.

(10) May implement and authorize the comprehensive water control activities, including flood protection, water quantity management, and water quality protection and improvement, described in the water control plan.

Section 6. Section 298.225, Florida Statutes, is amended to read:

298.225 Water control plan; plan development and amendment.—

(1) Effective October 1, 1998, any plan of reclamation, ~~or~~ water management plan, or plan of improvement developed and implemented by a water control district created by this chapter or by special act of the Legislature is considered will be referred to as a "water control plan." for purposes of this chapter.

(2) By October 1, 2000, the board of supervisors of each water control district must develop or revise the district's water control plan to reflect the minimum applicable requirements set forth in subsection (3).

(3) Each water control plan for a district or unit must contain, if applicable at a minimum:

(a) Narrative descriptions of the statutory responsibilities and powers of the water control district.

(b) A map delineating the legal boundary of the water control district and identifying any subdistricts or units within the district.

(c) Narrative descriptions of land use within the district and all existing district facilities and their purpose and function, and a map depicting their locations.

(d) Engineering drawings and narrative sufficient to describe each facility's capacity for the management and storage of surface waters and potable water supply, if applicable.

(e) A description of any environmental or water quality program that the water control district has implemented or plans to implement.

(f) A map and narrative description of any area outside the water control district's legal boundary for which the district provides services.

(g) Detailed descriptions of facilities and services that the water control district plans to provide within 5 years.

(h) A description of the administrative structure of the water control district.

~~(i) Copies of any agreements between the water control district and other governmental entities.~~

~~(j) The engineer's report prepared for plan adoption or revision.~~

~~(k) The water control district's budget and revenue sources for the current year.~~

(4) Information contained within a district's facilities plan prepared pursuant to s. 189.415 which satisfies any of the provisions of subsection (3) may be used as part of the district water control plan.

(4) Before final adoption of the water control plan or plan amendment under s. 298.301, the board of supervisors must submit the proposed plan or amendment to the jurisdictional water management district for review. Within 90 days after receipt of the proposed water control plan or amendment, the governing board of the jurisdictional water management district, or the executive director or designee, if delegated, must review the proposed plan or amendment for consistency with the applicable water resource plans and policies and recommend to the board of supervisors any proposed changes. If the jurisdictional water management district determines that the proposed plan or amendment is incomplete, it may notify the water control district and request additional information. Upon such request, the deadline for review may be extended as agreed by the water control district and the jurisdictional water management district. Within 60 days after receipt of the applicable water management district's recommended changes, the board of supervisors shall include the recommendations in the water control plan or plan amendment to the extent practicable. If the recommendations are not incorporated, the board of supervisors must specify its reasons in the water control plan or plan amendment adopted. A copy of the water control plan must be filed with the jurisdictional water management district and each local general purpose government within which all or a portion of the district's lands are located.

(5) The review or approval of the water control plan by the applicable water management district shall not constitute the granting of any permit necessary for the construction or operation of any water control district work and cannot be relied upon as any future agency action on a permit application.

(6) The board of supervisors must review the water control plan at least every 5 years following its initial development and adoption, and to the extent necessary, amend the plan in accordance with s. 298.301.

(8)(7) If the preparation of a water control plan or amendment under this section does not result in revision of the district's current plan or require the alteration or increase of any levy of assessments or taxes beyond the maximum amount previously authorized by general law, special law, or judicial proceeding, a change in the use of said assessments or taxes, or substantial change to district facilities, the provisions of s. 298.301(2)-(9) do not apply to the plan adoption process. This section and s. 298.301(1)-(9) do not apply to minor, insubstantial amendments to district plans authorized by special law.

Section 7. Section 298.26, Florida Statutes, is amended to read:

298.26 District Chief engineer to make annual reports to supervisors; approval of reports; water control plan.—The district chief engineer shall make a report in writing to the board of supervisors once every 12 months or as directed by the board. The report shall describe the progress made and activities undertaken in furtherance of the water control plan, and may include suggestions and recommendations to the board as the district chief engineer deems appropriate. Upon receipt of the final report of said engineer concerning the surveys made of the lands contained in the district organized and the lands adjacent thereto and for reclaiming the same, the board of supervisors shall adopt such report, or any modification thereof approved by the district chief engineer, after consulting with him or her or someone representing the district chief engineer. ~~Thereafter such adopted report shall be the plan for draining or reclaiming such lands from overflow or damage by water, and it shall, after such adoption, be part of the water control plan.~~

Section 8. Subsections (1), (2), (4), (5), (6), (8), and (9) of section 298.301, Florida Statutes, are amended to read:

298.301 District water control plan adoption; district boundary modification; plan amendment; notice forms; objections; hearings; assessments.—

(1) District infrastructure and works must be implemented pursuant to a water control plan. In the execution of the powers and authorities granted in this chapter, the district's action must be consistent with any adopted local government comprehensive plan within which the lands of the district are located. The board of supervisors may, by resolution at a regular or special regularly scheduled meeting noticed pursuant to chapter 189, consider the adoption of a district water control plan or plan amendment. Notice, hearing, and final adoption of any proposed water control plan or plan amendment must comply with the provisions of this chapter. For any district that was created or whose authorities or boundaries have been amended by special act, lands may be added to or deleted from a district only through legislative modification of the special act that contains the charter of the district. For those districts existing solely by judicial decree, lands may be added to or deleted from such districts by decree of the circuit court of the county in which the majority of the land within the district is located.

(2) Before adopting a water control plan or plan amendment, the board of supervisors must adopt a resolution to consider adoption of the proposed plan or plan amendment. As soon as the resolution proposing the adoption

or amendment of the district’s water control plan has been filed with the district secretary, the board of supervisors shall give notice of a public hearing on the proposed plan or plan amendment by causing publication to be made once a week for 3 consecutive weeks in a newspaper of general circulation published in each county in which lands and other property described in the resolution are situated. The notice must be in substantially the following form:

Notice of Hearing

To the owners and all persons interested in the lands corporate, and other property in and adjacent to the ...name of district... District.

You are notified that the ...name of district... District has filed in the office of the secretary of the district a resolution to consider approval of a water control plan or an amendment to the current water control plan to provide ...here insert a summary of the proposed water control plan or plan amendment.... On or before its regularly scheduled meeting of ...(date and time)... at the district’s offices located at ...(list address of offices)... written objections to the proposed plan or plan amendment may be filed at the district’s offices. A public hearing on the proposed plan or plan amendment will be conducted at the regularly scheduled meeting, and written objections will be considered at that time. At the conclusion of the hearing, the board of supervisors may determine to proceed with the process for approval of the proposed plan or plan amendment and direct the district engineer to prepare an engineer’s report identifying any property to be taken, determining assessing benefits and damages, and estimating the cost of implementing the improvements ~~improvement~~ associated with the proposed plan or plan amendment. A final hearing on approval of the proposed plan or plan amendment and engineer’s report shall be duly noticed and held at a regularly scheduled board of supervisors meeting within 60 days after filing of the engineer’s report with the secretary of the district.

Date of first publication: ....., 19....

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(Chairman, Board of Supervisors)

..... County, Florida

(4) The engineer may at any time call upon the attorney of the district for legal advice and information relative to his duties. The engineer shall proceed to view the premises and identify ~~determine the value of~~ all lands, within or without the district, to be acquired by purchase or condemnation and used for rights-of-way, or other works set out in the proposed plan or plan amendment. The engineer shall, with the advice of the district attorney, staff, and consultants, ~~determine assess~~ the amount of benefits and the amount of damages, if any, that will accrue to each subdivision of land (according to ownership), from carrying out and putting into effect the proposed plan or plan amendment. The engineer shall determine assess only those benefits that are derived from the construction of the works and improvements set out in the proposed plan or plan amendment. The engineer has no power to change the proposed plan or plan amendment without board approval.

(5) The engineer shall prepare a report arranged in tabular form, the columns of which are to be headed as follows: column one, "owner of property ~~assessed~~"; column two, "description of property ~~assessed~~"; column three, "number of acres ~~assessed~~"; column four, "amount of determined benefit annual assessment assessed"; column five, "amount of determined damages total assessments"; column six, "number of acres to be taken for rights-of-way, district works, etc."; ~~column seven, "increased value of property from improvement".~~ The engineer shall also, by and with the advice of other employees and consultants of the district, estimate the cost of the works set out in the proposed plan or plan amendment, including the cost of and the probable expense of organization and administration. ~~If the engineer's estimate of increased property value exceeds the total amount of assessments to be levied against a parcel, benefits are deemed to exceed damages.~~ A maintenance assessment recommendation must also be included in each engineer's report. However, the maintenance assessment may not be considered as part of the costs of installation or construction specified by the proposed plan or plan amendment in determining whether benefits exceed damages. The report shall be signed by the engineer and filed in the office of the secretary of the district. The secretary of the district, or deputy thereto, shall assist as needed in preparation of the report.

(6) Upon the filing of the engineer's report, the board of supervisors shall give notice thereof by arranging the publication of the report together with a geographical depiction of the district once a week for 2 consecutive weeks in a newspaper of general circulation in each county in the district. The notice must be substantially as follows:

Notice of Filing Engineer's Report for  
..... District

Notice is given to all persons interested in the following described land and property in ..... County (or Counties), Florida, viz.: ...~~(Here describe land and property)~~... included within the ..... district that the engineer hereto appointed to determine assess benefits and damages to the property and lands situated in the district and to determine the estimated cost of construction required by the water control plan appraise the cash value of the land necessary to be taken for rights-of-way and other works of the district, within or without the limits of the district, under the proposed water control plan or plan amendment, filed his report in the office of the secretary of the district, located at ...(list address of district offices),... on the ..... day of ....., 19...., and you may examine the report and file written objections with the secretary of the district to all, or any part thereof, on or before ...(enter date 20 days after the last scheduled publication of this notice, which date must be before the date of the final hearing).... The report recommends ...(describe benefits and damages assessment schedule).... ~~If approved, the assessment will be collected by the county tax collector.~~ A final hearing to consider approval of the report and proposed water control plan or plan amendment shall be held ...(time, place, and date at least 30 days but no later than 60 days after the last scheduled publication of this notice, ~~but no later than 60 days after filing of the engineer's report~~)....

Date of first publication: ....., 19....

.....  
(Chairman, Board of Supervisors)  
..... County, Florida

(8) All objections must be heard and determined by the board of supervisors at the public hearing so as to carry out liberally the purposes and needs of the district. If the board of supervisors determines at the final public hearing, upon examination of the engineer's report and upon hearing all of the objections, that the estimated cost of construction of improvements contemplated in the plan or plan amendment is less than the benefits determined for assessed against the lands in the district, the board of supervisors may shall approve and confirm the engineer's report; but, if the board of supervisors determines that any of the objections should be sustained, it shall order the report changed to conform with its findings, and when changed, the board of supervisors shall approve and confirm or disapprove, as appropriate, the report and enter its order approving or disapproving, as appropriate, the report and proposed plan or plan amendment. When any land or other property is shown by the engineer's report to be needed for rights-of-way, or other works, the board of supervisors may institute proceedings under chapter 73 or chapter 74 in the circuit court of the proper county to condemn the lands and other property that must be taken or damaged in the making of improvements, with the right and privilege of paying into court a sum to be fixed by the circuit court judge and of proceeding with the work, before the assessment by the jury.

(9) The approval and confirmation of the engineer's report by the board of supervisors establishes the amount and apportionment of assessments contained therein. The assessments so established are final and conclusive as to all land assessed, unless within 30 days after approval and confirmation of the engineer's report an action for relief is brought in a court of competent jurisdiction. If the assessment against any land is reduced or abated by the court, the board of supervisors shall cause the engineer's report to be amended accordingly. Unless such an action is commenced within the 30-day period, the assessment set forth in the engineer's report is final and nonappealable as to such land. Any party identified in subsection (3) may challenge the decision of the board in the manner and time provided by the Florida Rules of Civil and Appellate Procedure. If it is determined by court order that any tract or lot of land or parts thereof, upon which a non-ad valorem assessment is authorized and levied, will not be benefited by or receive any benefit from the completion of the plan or plan amendment, or will be burdened disproportionately to other similarly benefited land, then the non-ad valorem assessment may not be levied against that land.

Section 9. Subsection (1) of section 298.329, Florida Statutes, is amended to read:

298.329 When works insufficient, supervisors have power to make a new or amended plan; additional levy; issuance of bonds; procedure.—

(1) If the works set out in the district water control plan are found insufficient to develop, in whole or in part, any or all of the lands of the

district, the board of supervisors shall have the right to formulate a new or amended water control plan, containing new or modified public infrastructure or other authorized works, and additional assessments may be made in conformity with s. 298.305, the same to be made in proportion to the increased benefits accruing to the lands because of the additional works. Such new or amended plan shall be subject to review by the applicable water management district in accordance with s. 298.225 ~~s. 298.225(4)~~.

Section 10. Section 298.353, Florida Statutes, is amended to read:

298.353 Unit development; powers of board of supervisors to designate units of district; financing assessments for each unit.—The board of supervisors of the district may designate areas or ~~of~~ parts of the district as separate administrative and financial “units.” Units must be created or modified as a part of and through the adoption of a water control plan or plan amendment as provided in this chapter. The units into which the district is divided must be given appropriate numbers or names by the board of supervisors so that the units can be readily identified and distinguished. The board may fix and determine the location, area, and boundaries of the lands to be included in each unit, the type and amount of work required in the unit and the order of development, and the method of carrying on the work in each unit. The unit system provided by this section may be conducted, and all the proceedings by this section and this chapter authorized in respect to such unit or units may be carried on and conducted, whenever the board of supervisors finds that it is appropriate. If the board finds that it is advisable to implement the district infrastructure and service plans by units, as authorized by this section, the board shall, by resolution duly adopted and entered upon its minutes, declare its purpose to conduct the work accordingly, and shall proceed through the water control plan adoption or amendment process described in s. 298.301 to fix the number, location, boundaries, and description of lands within each unit or units and give them appropriate numbers or names. All provisions of this chapter shall apply within all units, and the enumeration of or reference in this section to specific powers or duties of the supervisors does not limit or restrict the application of any and all of the proceedings and powers in this chapter within all units. For water control plans applicable to one or more units, but to less than the entire district, the notices to district landowners or municipalities required under s. 298.301 need be provided only to owners of lands within the affected unit or units and municipalities within whose boundaries unit lands are located and immediately contiguous properties within the district. All assessments, levies, taxes, bonds, and other obligations made, levied, assessed, or issued for or in respect to any unit or units constitute a lien and charge solely and only upon the lands in the unit or units, respectively, for the benefit of which the same have been levied, made, or issued, and not upon the remaining units or lands in the district. However, bonds may be payable from assessments imposed on more than one unit. The board of supervisors may at any time amend the location and description of lands in any unit or units by proceeding in accordance with the provisions of this section for the original creation of the unit or units. If, after the approval of the engineer’s report of benefits in any unit or units or the issuance of bonds or other obligations that are payable from taxes or assessments for benefits levied upon lands

within any unit or units, the board of supervisors finds that the infrastructure or service plan for the unit or units is insufficient or inadequate for efficient development, the plan may be amended or changed and the unit or units may be amended or changed as provided in this section, by changing the location and description of lands in the unit or units, by detaching lands therefrom, or by adding lands thereto pursuant to this chapter. However, a change or amendment to a designated unit is not authorized if it has the effect of impairing a debt or other obligation of the unit or the district.

Section 11. Section 298.337, Florida Statutes, is repealed.

Section 12. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 30, 1998.

Filed in Office Secretary of State May 29, 1998.