

House Bill No. 501

An act relating to Volusia County; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S., relating to Daytona Beach Racing and Recreational Facilities District, an independent special district in Volusia County; providing legislative intent, and codifying and reenacting provisions of chapter 29588, Laws of Florida, chapter 29590, Laws of Florida, chapter 31343, Laws of Florida, chapter 63-2023, Laws of Florida, chapter 73-647, Laws of Florida, and chapter 80-494, Laws of Florida; providing a district charter; providing for the severability of provisions deemed invalid; providing for the repeal of prior special acts relating to the Daytona Beach Racing and Recreational Facilities District; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Daytona Beach Racing and Recreational Facilities District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the District, including all current legislative authority granted to the District by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapter 29588, Laws of Florida, chapter 29590, Laws of Florida, chapter 31343, Laws of Florida, chapter 63-2023, Laws of Florida, chapter 73-647, Laws of Florida, and chapter 80-494, Laws of Florida, relating to the Daytona Beach Racing and Recreational Facilities District, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The charter for the Daytona Beach Racing and Recreational Facilities District is re-created and reenacted to read:

Section 1. Definitions.—As used in this act, the following words and terms shall have the following meanings, unless some other meaning is plainly intended:

(a) The word “County” shall mean the County of Volusia in the State of Florida.

(b) The term “Board of County Commissioners” or “County Commissioners” shall mean the Board of County Commissioners of Volusia County, Florida.

(c) The word “District” shall mean the Daytona Beach Racing and Recreational Facilities District created and established by this act.

(d) The term “District Commission” shall mean the Daytona Beach Racing and Recreational Facilities Commission created and established by this act.

(e) The term “racing and recreational facilities” shall mean and shall include automobile and motorcycle speedways, race tracks, testing grounds, fields for baseball, football, or other sporting events, swimming pools, golf courses, tennis courts, playgrounds, and other racing and recreational facilities, and shall include but shall not be limited to all lands, buildings, grandstands, stadiums, and coliseums, all necessary appurtenances and equipment, and all property, rights, easements, and franchises relating thereto and deemed necessary or convenient for the operation thereof.

(f) The word “cost” as applied to any racing and recreational facility shall mean and shall include the cost of acquisition or construction, the cost of all labor, materials, and equipment, the cost of all lands, property, rights, easements, and franchises acquired, financing charges, interest prior to and during construction and for 1 year after completion of construction, cost of plans and specifications, surveys and estimates of cost and of revenues, cost of engineering and legal services, all expenses necessary or incident to determining the feasibility or practicability of such acquisition or construction, reasonable provisions for working capital, administrative expenses, and such other expenses as may be necessary or incident to the acquisition or construction or the financing thereof herein authorized. Any obligation or expense incurred by the County, the City of Daytona Beach, or the District in connection with any of the foregoing items of cost may be regarded as a part of such cost and reimbursed to the County, the City of Daytona Beach, or the District out of the proceeds of bonds issued under the provisions of this act.

Section 2. Daytona Beach Racing and Recreational Facilities District.— A Racing and Recreational Facilities District in Volusia County is hereby created and established and shall be known as “Daytona Beach Racing and Recreational Facilities District.” Said District shall comprise the following land in Volusia County:

BEGINNING at the Southwest corner of Section 18, Township 16 South, Range 32 East; thence running Easterly along the South line of Sections 18 through 13, Township 16 South, Range 32 East and Sections 18 through 15, Township 16 South, Range 33 East, to a point where the South line of Section 15, Township 16 South, Range 33 East, intersects the South line of the J. M. Sanchez Grant, being Section 40, Township 16 South, Range 33 East; thence following the Southerly and Easterly lines of the said J. M. Sanchez Grant to a point where the same would be intersected by the South line of Lot 2, of Section 13, Township 16 South, Range 33 East, extended West; thence Easterly along the extension of the said South line of said Lot 2 of said Section 13, Township 16 South, Range 33 East, and along the South line of said Lot 2 extended Easterly, to the shore of the Atlantic Ocean; thence running Northwesterly along the shore of the Atlantic Ocean to the present North Corporation Line of Ormond Beach, Florida; the same being in an Easterly extension of the South Line of Lot 3, Section 3, Township 14 South, Range 32 East; thence Westerly along said extension and along the said South line of Lot 3, Section 3, Township 14 South, Range 32 East and along the said North Corporation Limits to a point in the Center-line of the Intracoastal Waterway; thence Northerly along the said Centerline to an intersection

with the Easterly extension of the Centerline of Avenue Inglesa, as shown on the plat of Daytona Shores, Section 1-A, of record in Map Book 10, Page 72, Public Records of Volusia County, Florida; thence Southwesterly along said Center-line of Avenue Inglesa and extension thereof to the Center-line of the Tomoka River; thence Southerly and Westerly along the meandering of said Center-line of the Tomoka River to its intersection with the Southwesterly Right-of-way line of the Florida East Coast Railway; thence Northwesterly along said Right-of-way line to a point that is 1500 Ft. Easterly of the Westerly line of the George Anderson Grant, being Section 38, Township 14 South, Range 32 East, Volusia County, Florida, said 1500 Ft. being measured parallel to the Southerly line of said George Anderson Grant; thence Southerly and parallel to the aforesaid Westerly line of the George Anderson Grant, to a point that is 990 Ft. Northerly from the Southerly line of aforesaid George Anderson Grant; thence Westerly and parallel to said Southerly line of the George Anderson Grant to the aforesaid Westerly line of the George Anderson Grant; thence Southerly along said Westerly line of the George Anderson Grant to the North line of Section 12, Township 14 South, Range 31 East; thence West along the North line of said Section 12, to the Northwest corner of Government Lot 1 in said Section 12; thence South along the west line of said Government Lot 1, to the Southwest corner of said Government Lot 1; being also the Northeast corner of Government Lot 3 in said Section 12; thence West along the North line of said Government Lot 3 to the Northwest corner thereof; thence South along the West line of Government Lot 3 aforesaid to the Southwest corner thereof; thence East along the South line of said Government Lot 3, being the North line of Section 13 in aforesaid Township 14 South, Range 31 East, to the intersection with the West line of the Ann Papy Grant, being Section 38, Township 14 South, Range 31 East; thence South along the West line of said Ann Papy Grant to the Southwest corner thereof thence East along the South line of said Ann Papy Grant to the Northwest corner of Government Lot 1, Section 13, Township 14 South, Range 31 East; thence South along the West line of said Government Lot 1 to the Southwest corner thereof; thence East along the South line of Government Lot 1, Section 13, Township 14 South, Range 31 East and along the South lines of Government Lots 3, 2 and 1, Section 18, Township 14 South, Range 32 East to the center of the Tomoka River; thence Southerly along the meandering of the center of the Tomoka River and the West Branch thereof, to an intersection with the Northerly Right-of-way Line of U. S. Highway #92; thence Southwesterly along the said Northerly Right-of-way Line of U. S. Highway # 92 to an intersection with the West line of Section 6, Township 16 South Range 32 East; thence Southerly along the West line of Sections 6, 7 and 18, of said Township 16 South, Range 32 East, to the POINT OF BEGINNING.

The District may contract and be contracted with, may sue and be sued, and may plead and be impleaded.

Section 3. The powers, functions, and duties of the District regarding ad valorem taxation, bond issuance, other revenue raising capabilities, budget

preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements shall be as set forth in this act and in chapter 189, Florida Statutes, or any other applicable general or special law, as they may be amended from time to time.

Section 4. Creation and status.—The District was created by a special act of the Legislature by chapter 31343, Laws of Florida, 1955, in accordance with chapter 189, Florida Statutes. The District is hereby declared to be an independent special district pursuant to chapter 189, Florida Statutes.

Section 5. The District's charter may only be amended by a special act of the Legislature.

Section 6. Daytona Beach Racing and Recreational Facilities Commission.—The District shall be under the management and control of a Commission known as the "Daytona Beach Racing and Recreational Facilities Commission." The District Commission shall consist of five members who shall be qualified electors of the District. Two members of the District Commission shall be appointed by the Board of County Commissioners and two members shall be appointed by the City Commission of the City of Daytona Beach; and one member shall be appointed by the joint action of the Board of County Commissioners and the City Commission of the City or by the Governor as hereinafter provided. Members shall serve until the specified termination of their respective appointed terms, or for 4 years from the date of their appointment, whichever is earlier. At least 30 days prior to the date of expiration of the term of any member of the District Commission, the successor of such member shall be appointed for a term of 4 years by the City or County as hereinabove provided. If the City and County are unable to agree on the successor to be named jointly by them within 5 days prior to the date of expiration of the term of office of said member, such appointment shall be made by the Governor of the State of Florida. Each member shall serve until his or her successor shall be appointed and shall qualify. In the event of a vacancy in the District Commission resulting from the death, resignation, or change of residence of any member thereof or from any other cause, the successor of such member shall be appointed for the unexpired term. Any member of the District Commission shall be eligible for reappointment. Upon the appointment of any member of the District Commission, the Clerk of the City or County making the appointment shall furnish a certificate of such appointment to said appointee which shall be kept with the public records of the District Commission and shall be noted in the minutes of the first meeting of said District Commission following such appointment. Each member of the District Commission shall be reimbursed for the actual expenses necessarily incurred by him or her in the performance of his or her duties. Such reimbursement shall be the maximum amount of compensation that any Commission member shall be entitled to receive.

Before entering upon the duties of office, each member of the District Commission shall take and file with the District an oath to faithfully discharge the duties of his or her office, and such other oaths as shall be required by law, and shall execute a surety bond in the penal sum of \$5,000 payable to

the Governor of the State of Florida and conditioned upon the faithful performance of the duties of office of such member. Such bonds shall be approved by the District Commission and filed with the Secretary and Treasurer thereof and such bonds shall be signed by a surety company authorized to do business in Florida.

Three members of the District Commission shall constitute a quorum and the affirmative vote of three members of the District Commission shall be necessary for any action taken by the District Commission. A vacancy in the District Commission shall not impair the rights of a quorum to exercise all the rights and perform all the duties of the District Commission. The District Commission shall elect one of its members as Chair and shall also appoint a Secretary and Treasurer who may or may not be a member of the District Commission. The Secretary and Treasurer of the District Commission, prior to entering upon his or her duties as such officer, shall execute a surety bond in a penal sum, not less than \$25,000, to be determined by the District Commission, payable to the Governor of the State of Florida and conditioned upon the faithful performance of the duties of his or her office, such bond to be signed by a surety company authorized to do business in Florida and to be approved by the District Commission and filed with the Secretary and Treasurer thereof.

Section 7. General grant of powers.—The District Commission is hereby authorized and empowered:

(a) To adopt bylaws for the regulation of its affairs and the conduct of its business.

(b) To adopt an official seal for the District and to alter the same at pleasure.

(c) To purchase or otherwise acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate any racing and recreational facilities within the territorial limits of the District.

(d) To acquire by grant, purchase, gift, or devise or by the exercise of the right of eminent domain all property, real or personal, or any estate or interest therein necessary, desirable, or convenient for the purposes of this act, and to sell, convey, lease, rent, or assign all or any part thereof and to exercise all of its powers and authority with respect thereto.

(e) To issue bonds or to request the Board of County Commissioners to issue bonds of the District, as hereinafter provided, to pay the cost of purchasing or otherwise acquiring, constructing, reconstructing, improving, extending, enlarging, or equipping racing and recreational facilities.

(f) To issue refunding bonds or to request the Board of County Commissioners to issue refunding bonds of the District, as hereinafter provided, to refund any bonds then outstanding which shall have been issued under the provisions of this act.

(g) To lease, rent, or contract for the operation of all or any part of any racing and recreational facilities.

(h) To fix and collect rates, rentals, fees, and charges for the use of any racing and recreational facilities.

(i) To contract for the operation of concessions on or in any racing and recreational facilities.

(j) To advertise within or without the state any racing and recreational facilities.

(k) To make and enter into all contracts and agreements necessary or incidental to the performance of the duties imposed and the execution of the powers granted under this act, and to employ such consulting and other engineers, superintendents, managers, construction and financial experts, and attorneys, and such employees and agents, as may, in the judgment of the District Commission, be deemed necessary, and to fix their compensation; provided, however, that all such expenses shall be payable solely from funds made available under the provisions of this act.

(l) To enter into contracts with the government of the United States or the State of Florida or any agency or instrumentality of either thereof, or with any municipality, district, private corporation, copartnership, association, or individual providing for or relating to racing and recreational facilities.

(m) To do all acts or things necessary or convenient to carry out the powers expressly granted in this act.

Section 8. Issuance of bonds.—

(a) The District Commission is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of special obligation bonds of the District payable solely from rates, rentals, fees, and charges provided for herein for the purpose of paying the cost of purchasing or otherwise acquiring, constructing, reconstructing, improving, extending, enlarging, or equipping racing and recreational facilities.

(b) The Board of County Commissioners is hereby directed to provide by resolution, at one time or from time to time, upon the request of the District Commission and with the concurrence of the District Commission in all of the provisions of any such resolution, including the provisions of any trust agreement authorized thereby, and in all determinations to be made by the County Commissioners under this section, for the issuance of general obligation bonds of the District in an aggregate principal amount not exceeding \$3 million payable from rates, rentals, fees, and charges provided for hereunder and, to the extent necessary, ad valorem taxes levied as hereinafter provided, for the purpose of paying the cost of purchasing or otherwise acquiring, constructing, reconstructing, improving, extending, enlarging, or equipping racing and recreational facilities; provided, however, that any such bonds shall have been approved by the majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing in the District shall have participated. Any such election shall be held and the result thereof determined and declared in the manner provided

by the election code of 1951 and chapter 189, Florida Statutes, or any amendments thereof.

(c) The bonds of each issue authorized pursuant to this act shall be dated, shall mature at such time or times not exceeding 40 years from their date or dates, and shall bear interest at such rate or rates not exceeding 6 percent per annum, as may be determined by the District Commission or the County Commissioners, as the case may be, authorizing the issuance of such bonds, hereinafter sometimes called the "Authorizing Body," and may be made redeemable before maturity, at the option of the Authorizing Body, at such price or prices and under such terms and conditions as may be fixed by the Authorizing Body prior to the issuance of the bonds. The principal of and the interest on such bonds may be made payable in any lawful medium. The Authorizing Body shall determine the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest which may be at any bank or trust company within or without the state. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery. Notwithstanding any of the other provisions of the act or any recitals in any bonds issued under the provisions of this act, all such bonds shall be deemed to be negotiable instruments under the laws of this state. The bonds may be issued in coupon or in registered form, or both, as the Authorizing Body may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The issuance of such bonds shall not be subject to any limitations or conditions contained in any other law, and the Authorizing Body may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the District, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than 6 percent per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity. Prior to the preparation of definitive bonds, provision may be made for the issuance of interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. Provision may also be made for the replacement of any bonds which shall become mutilated or be destroyed or lost.

Bonds may be issued under the provisions of this act without obtaining the consent of any other department, commission, board, bureau, or agency of the state, and without any other proceeding or the happening of any other condition or thing than those proceedings, conditions, or things which are specifically required by this act.

The proceeds of such bonds shall be used solely for the purpose for which such bonds shall have been authorized, and shall be disbursed in such manner and under such restrictions, if any, as the Authorizing Body may provide in the authorizing resolution or in any trust agreement securing such bonds. If the proceeds of such bonds, by error of estimates or otherwise, shall be less than such cost, additional bonds may in like manner be issued, subject to the limitations contained herein on the maximum amount of general obligation bonds which may be issued, to provide the amount of such deficit, and, unless otherwise provided in the authorizing resolution of such trust agreement, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same purpose.

Any resolution or trust agreement providing for the issuance of or securing bonds hereunder may also contain such limitations upon the issuance of additional bonds as the Authorizing Body may determine to be proper, and such additional bonds shall be issued under such restrictions and limitations as may be prescribed by such resolution or trust agreement.

The maximum amount of general obligation bonds which may be issued under this act may be increased by the Legislature by subsequent legislation. Special obligation bonds of the District payable solely from rates, rentals, fees, and charges for the use of the racing and recreational facilities, issued under the provisions of this act, shall not be deemed to constitute a debt of the District or a pledge of the faith and credit of the District, and a statement to that effect shall be recited on the face of the bonds.

Section 9. Revenues.—The District Commission shall fix rates, rentals, fees, and other charges for the use of the racing and recreational facilities and may revise such rates, rentals, fees, and charges from time to time. Such rates, rentals, fees, and charges shall not be subject to supervision or regulation by any department, commission, board, bureau, or agency of the state, or of any political subdivision of the state. Such rates, rentals, fees, and charges shall be so fixed and revised as to provide the most revenue practicable from such facilities.

Section 10. Trust agreement; pledges and covenants.—Any resolution authorizing the issuance of bonds under the provisions of this act may provide for the execution of a trust agreement securing such bonds, and such resolution or trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the District Commission in relation to the acquisition, construction, reconstruction, improvement, extension, enlargement, equipment, maintenance, repair, operation, and insurance of any racing and recreational facilities and provisions for the custody, safeguarding, and application of all moneys, and for the employment of consulting engineers in connection with such acquisition, construction, reconstruction, improvement, extension, enlargement, equipment, maintenance, repair, operation, and insurance of any such racing and recreational facilities. Such resolution or trust agreement may set forth the rights and remedies of the bondholders

and of the trustee, if any, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures. In addition to the foregoing, such resolution or trust agreement may contain such other provisions as may be deemed reasonable and proper for the security of the bondholders. Except as in this act otherwise provided, such resolution or trust agreement may provide for the payment of the proceeds of the sale of the bonds and the revenues of the racing and recreational facilities to such officer, board, or depository as may be designated for the custody thereof, and for the method of disbursement thereof, with such safeguards and restrictions as may be deemed desirable. All expenses incurred in carrying out the provisions of such resolution or trust agreement may be treated as a part of the cost of operation.

Any pledge of revenues made by such resolution or trust agreement shall be valid and binding from the time when the pledge is made; the rates, rentals, fees, and charges and any other revenues so pledged and thereafter received by the District Commission shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the District, irrespective of whether such parties have notice thereof.

Section 11. Levy of taxes.—The Board of County Commissioners is hereby authorized and required to levy annually a tax upon all taxable property within the District sufficient to pay the principal of and the interest on all general obligation bonds issued under the provisions of this act as the same shall respectively become due and payable; provided, however, that the amount of such annual tax levy may be reduced in any year by so much of the amount of the proceeds of rates, rentals, fees, and charges, if any, then on deposit to the credit of a special fund for the payment of such principal and interest as shall be certified to the Board of County Commissioners by the District Commission as available for the payment of such principal and interest during the year from which such tax shall be levied, but any such proceeds on deposit to the credit of any reserve account in such special fund shall not be taken into account in determining the amount of such tax levy. The proceeds of such tax levy shall when collected be paid into such special fund and used for no other purpose than the payment of such principal and interest.

Section 12. Trust funds.—All moneys received pursuant to the authority of this act shall be deemed to be trust funds, to be held and applied solely as provided in this act. Any resolution authorizing the issuance of bonds shall provide that any officer to whom, or any bank, trust company or other fiscal agent to which, such moneys shall be paid shall act as trustee of such moneys and shall hold and apply the same for the purposes hereof, subject to such regulations as this act and such resolution may provide.

Section 13. Remedies.—Any holder of bonds issued under the provisions of this act or of any of the coupons appertaining thereto, and the trustee under any trust agreement, except to the extent the rights herein given may be restricted by the resolution authorizing the issuance of such bonds or

such trust agreement, may, either at law or in equity, by suit, action, mandamus, or other proceeding, protect and enforce any and all rights under the laws of the state or granted hereunder or under such resolution or trust agreement, and may enforce and compel the performance of all duties required by this act or by such resolution or trust agreement to be performed by the District, the District Commission, the Board of County Commissioners, or by any officer thereof, including the fixing, charging, and collecting of rates, rentals, fees, and charges.

Section 14. Refunding Bonds.—The District Commission is hereby authorized to provide by resolution for the issuance of special obligation refunding bonds of the District, and the Board of County Commissioners is hereby authorized to provide by resolution, upon the request of the District Commission and with the concurrence of the District Commission in all of the provisions of such resolution, for the issuance of general obligation refunding bonds of the District, for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, or for the combined purpose of refunding any such outstanding bonds and paying all or any part of the cost of purchasing or otherwise acquiring, constructing, reconstructing, improving, extending, enlarging, or equipping any racing and recreational facilities; provided, however, that the proceeds of any portion of any such general obligation refunding bonds to be applied to paying all or any part of the cost of purchasing or otherwise acquiring, constructing, reconstructing, improving, extending, enlarging, or equipping any racing or recreational facilities as above provided, together with the aggregate amount of bonds theretofore issued under section 8(b) hereof shall not exceed the aggregate principal amount of \$3 million. The issuance of such bonds, the maturities and other details thereof, the rights and remedies of the holders thereof, and the rights, powers, privileges, duties, and obligations of the district, of the County Commissioners, and of the District Commission, with respect to the same shall be governed by the foregoing provisions of this act insofar as the same may be applicable.

Section 15. Contracts; competition.—The District Commission may enter into any contracts or agreements authorized by this act by negotiation and without public advertisement or otherwise obtaining competition if in the sole determination of the District Commission such action is for the best interests of the District.

Section 16. Inconsistent laws inapplicable.—All other general or special laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act and the issuance of bonds under the provisions of this act need not comply with the requirements of any other law relating to the issuance of bonds.

Section 17. The terms “racing and recreational facilities,” “race tracks,” and “sporting events,” used in this act, shall not embrace or include but shall exclude all race track and jai alai fronton permits and permittees conducting pari-mutuel pools in this state; and the provisions of this act shall not apply to race tracks and jai alai frontons licensed and authorized to operate under chapter 550, Florida Statutes, and amendments thereto.

Section 18. Declaration of public purposes.—It is hereby determined and declared by the Legislature of the State of Florida that all of the powers conferred upon the District and the County by this act, and the exercise of such powers or any of them, constitute and are proper public purposes and are for the welfare and benefit of the District and its inhabitants.

Section 19. Alternative method.—This act shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing. This act being necessary for the welfare of the inhabitants of the District and the County shall be liberally construed to effect the purposes thereof.

Section 20. The showing of commercial motion pictures as described in section 847.013, Florida Statutes, in or upon any of the facilities as defined in section 1(e) is prohibited.

Section 21. Financial disclosure.—Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for officers and employees shall be as set forth in chapters 112 and 189, Florida Statutes.

Section 22. The procedures for District elections and for the qualification of electors shall be pursuant to this act and in accordance with chapter 189, Florida Statutes, as it may be amended from time to time.

Section 23. Financing.—The District may be financed by any method established in this act, and any applicable general laws as they may be amended from time to time.

Section 24. The methods for collecting non-ad valorem assessments, fees, or service charges shall be as set forth in this act, chapter 189, Florida Statutes, and other applicable general laws as they may be amended from time to time.

Section 25. The District's planning requirements shall be as set forth in chapter 189, Florida Statutes, as it may be amended from time to time.

Section 4. Chapters 29588 and 29590, Laws of Florida, 1953, were repealed by chapter 31343, Laws of Florida, 1955. Chapter 31343, Laws of Florida, 1955; chapter 63-2023, Laws of Florida; chapter 73-647, Laws of Florida; and chapter 80-494, Laws of Florida, are repealed.

Section 5. The provisions of this act are severable, and it is the intention to confer the whole or any part of the powers herein provided for and if any of the provisions of this act or any of the powers granted by this act shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions of this act or any of the remaining powers granted by this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision or power not been included therein.

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor April 24, 2002.

Filed in Office Secretary of State April 24, 2002.